

Volume 26, Number 4
Pages 383-488
February 15, 2001



MATT BLUNT

SECRETARY OF STATE

MISSOURI REGISTER

The *Missouri Register* is an official publication of the state of Missouri, under the authority granted to the secretary of state by sections 536.015 and 536.033, RSMo 2000. Reproduction of rules is allowed; however, no reproduction shall bear the name *Missouri Register* or "official" without the express permission of the secretary of state.

The *Missouri Register* is published semi-monthly by

SECRETARY OF STATE

MAT T BLUNT

Administrative Rules Division
James C. Kirkpatrick State Information Center
600 W. Main
Jefferson City, MO 65101
(573) 751-4015

DIRECTOR

LYNNE C. ANGLE

•

EDITORS

BARBARA McDOUGAL

KATHREN CHOATE

•

ASSOCIATE EDITORS

CURTIS W. TREAT

SALLY L. REID

JAMES McCLURE

•

PUBLISHING STAFF

CARLA HERTZING

SANDY SANDERS

WILBUR HIGHBARGER

Joy OSBORNE

ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO
Subscription fee: \$56.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

MISSOURI REGISTER
Office of the Secretary of State
Administrative Rules Division
PO Box 1767
Jefferson City, MO 65102

The *Missouri Register* and *Code of State Regulations* (CSR) are now available on the Internet. The Register address is <http://mosl.sos.state.mo.us/moreg/moreg.htm> and the CSR is <http://mosl.sos.state.mo.us/csr/csr.htm>. These web sites contain rulemakings and regulations as they appear in the Registers and CSR. These web sites do not contain the official copies of the Registers and CSR. The official copies remain the paper copies published by the Office of the Secretary of State pursuant to sections 536.015 and 536.031, RSMo 2000. While every attempt has been made to ensure accuracy and reliability, the Registers and CSR are presented, to the greatest extent practicable as they appear in the official publications.

The secretary of state's office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Division of Administrative Rules, PO Box 1767, Jefferson City, MO 65102, (573) 751-4015. Hearing impaired citizens should contact the director through Missouri relay, (800) 735-2966.



IN THIS ISSUE:

EMERGENCY RULES

Department of Natural Resources	
Public Drinking Water Program	387

PROPOSED RULES

Office of Administration	
Administrative Hearing Commission	390
Department of Social Services	
Division of Aging	406
Department of Health	
Division of Environmental Health and Communicable Disease Prevention	413
Division of Health Standards and Licensure	417

ORDERS OF RULEMAKING

Department of Elementary and Secondary Education	
Special Education	440
Department of Natural Resources	
Air Conservation Commission	443
Department of Public Safety	
Adjutant General	447
Missouri State Highway Patrol	449
Peace Officer Standards and Training Program	449
Department of Revenue	
Director of Revenue	449
Department of Social Services	
Division of Aging	453

Elected Officials

Attorney General	458
------------------	-----

Retirement Systems

The County Employees' Retirement Fund	458
---------------------------------------	-----

IN ADDITIONS

Department of Economic Development	
Division of Credit Unions	465

BID OPENINGS

Office of Administration	
Division of Purchasing	466

RULE CHANGES SINCE UPDATE	467
---------------------------	-----

EMERGENCY RULES IN EFFECT	474
---------------------------	-----

REGISTER INDEX	476
----------------	-----

Register Filing Deadlines	Register Publication	Code Publication	Code Effective
Nov. 1, 2000	Dec. 1, 2000	Dec. 31, 2000	Jan. 30, 2001
Nov. 15, 2000	Dec. 15, 2000	Dec. 31, 2000	Jan. 30, 2001
Dec. 1, 2000	Jan. 2, 2001	Jan. 29, 2001	Feb. 28, 2001
Dec. 15, 2000	Jan. 16, 2001	Jan. 29, 2001	Feb. 28, 2001
Dec. 29, 2000	Feb. 1, 2001	Feb. 28, 2001	March 30, 2001
Jan. 16, 2001	Feb. 15, 2001	Feb. 28, 2001	March 30, 2001
Feb. 1, 2001	March 1, 2001	March 31, 2001	April 30, 2001
Feb. 15, 2001	March 15, 2001	March 31, 2001	April 30, 2001
March 1, 2001	April 2, 2001	April 30, 2001	May 30, 2001
March 15, 2001	April 16, 2001	April 30, 2001	May 30, 2001
March 30, 2001	May 1, 2001	May 31, 2001	June 30, 2001
April 13, 2001	May 15, 2001	May 31, 2001	June 30, 2001
May 1, 2001	June 1, 2001	June 30, 2001	July 30, 2001
May 15, 2001	June 15, 2001	June 30, 2001	July 30, 2001
June 1, 2001	July 2, 2001	July 31, 2001	August 30, 2001
June 15, 2001	July 16, 2001	July 31, 2001	August 30, 2001
June 29, 2001	Aug. 1, 2001	Aug. 31, 2001	Sept. 30, 2001
July 13, 2001	Aug. 15, 2001	Aug. 31, 2001	Sept. 30, 2001
Aug. 1, 2001	Sept. 4, 2001	Sept. 30, 2001	Oct. 30, 2001
Aug. 15, 2001	Sept. 17, 2001	Sept. 30, 2001	Oct. 30, 2001

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

Missouri Depository Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Depository Documents Law (section 181.100, RSMo 2000), are available in the listed depository libraries, as selected by the Missouri State Library:

Jefferson County Library PO Box 1486, 3021 High Ridge High Ridge, MO 63049-1486 (314) 677-8689	Learning Resources Center Mineral Area College PO Box 1000 Park Hills, MO 63601-1000 (573) 431-4593	B.D. Owens Library Northwest Missouri State University 800 University Drive Maryville, MO 64468-6001 (660) 562-1841	School of Law University of Missouri-Columbia 224 Hulston Hall Columbia, MO 65211-0001 (573) 882-1125
Jefferson College Library 1000 Viking Drive Hillsboro, MO 63050-2441 (314) 789-3951	Cape Girardeau Public Library 711 N. Clark Cape Girardeau, MO 63701-4400 (573) 334-5279	River Bluffs Regional Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151	Central Methodist College Smiley Memorial Library 411 Central Methodist Square Fayette, MO 65248-1198 (660) 248-6292
St. Louis Public Library 1301 Olive St. St. Louis, MO 63103-2389 (314) 539-0376	Kent Library Southeast Missouri State University One University Plaza Cape Girardeau, MO 63701-4799 (573) 651-2757	Missouri Western State College Hearnes Learning Resources Ctr. 4525 Downs Drive St. Joseph, MO 64507-2294 (816) 271-5802	Library University of Missouri-Rolla 1870 Miner Circle Rolla, MO 65409-0060 (573) 341-4007
St. Louis University Law Library 3700 Lindell Blvd. St. Louis, MO 63108-3478 (314) 977-2756	Riverside Regional Library PO Box 389, 204 South Union St. Jackson, MO 63755-0389 (573) 243-8141	Library North Central Missouri College PO Box 111, 1301 Main Street Trenton, MO 64683-0107 (660) 359-3948	Kinderhook Regional Library 135 Harwood Ave. Lebanon, MO 65536-3017 (417) 532-2148
Eden Theological Seminary/ Webster University Eden/Webster Library 475 East Lockwood Ave. St. Louis, MO 63119-3192 (314) 961-2660	Rutland Library Three Rivers Community College 2080 Three Rivers Blvd. Poplar Bluff, MO 63901-2393 (573) 840-9656	Missouri Southern State College Spiva Library 3950 East Newman Road Joplin, MO 64801-1595 (417) 625-9770	ESTEP Library Southwest Baptist University 1601 S. Springfield Street Bolivar, MO 65613-2597 (417) 326-5281
Thomas Jefferson Library University of Missouri-St. Louis 8001 Natural Bridge Road St. Louis, MO 63121-4499 (314) 516-5084	Charles F. Curry Library William Jewell College 500 College Hill Liberty, MO 64068-1896 (816) 781-7700	Missouri State Library 600 West Main, PO Box 387 Jefferson City, MO 65102-0387 (573) 751-3075	Barry-Lawrence Regional Library 213 6th St. Monett, MO 65708-2147 (417) 235-6646
Washington University Washington University Law Library Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6484	Ward Edwards Library Central Missouri State University 142 Edwards Library Warrensburg, MO 64093-5020 (660) 543-4149	Missouri State Archives 600 West Main, PO Box 778 Jefferson City, MO 65102-0778 (573) 526-6711	Lyons Memorial Library College of the Ozarks General Delivery Point Lookout, MO 65726-9999 (417) 334-6411
St. Louis County Library 1640 S. Lindbergh Blvd. St. Louis, MO 63131-3598 (314) 994-3300	Kansas City Public Library 311 East 12th St. Kansas City, MO 64106-2454 (816) 701-3400	Elmer Ellis Library University of Missouri-Columbia 104 Ellis Library Columbia, MO 65211-5149 (573) 882-6733	West Plains Campus Library Southwest Missouri State University 123 N. Minnesota West Plains, MO 65775-3414 (417) 256-9865
Maryville University Library 13550 Conway Road St. Louis, MO 63141-7232 (314) 529-9494	Law Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65201-7298 (573) 882-7083	Springfield-Greene County Library PO Box 737, 397 E. Central Springfield, MO 65801-0760 (417) 869-4621
St. Charles City-County Library Middendorf-Kredell Branch 2750 Hwy K O'Fallon, MO 63366-7859 (314) 978-7997	University of Missouri-Kansas City Miller Nichols Library 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-1281	Daniel Boone Regional Library PO Box 1267, 100 West Broadway Columbia, MO 65205-1267 (573) 443-3161	Meyer Library Southwest Missouri State University PO Box 175, 901 S. National Springfield, MO 65804-0095 (417) 836-4533
Truman State University Pickler Memorial Library 100 E. Normal Kirksville, MO 63501-4221 (660) 785-7416			

HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 26, *Missouri Register*, page 27. The approved short form of citation is 26 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 60—Public Drinking Water Program Chapter 14—Operator Certification

EMERGENCY AMENDMENT

10 CSR 60-14.010 Classification of Public Water Systems. The department is amending sections (1)–(4).

***PURPOSE:** The purpose of this emergency amendment is to strengthen the rule in regard to new federal requirements in order to avoid a loss of about \$2 million annually in federal funding used mainly for low-interest loans to public water systems.*

***EMERGENCY STATEMENT:** This amendment makes changes that are needed for the state to continue to qualify for an annual allotment of about \$2 million in federal funds used for essential drinking water protection activities and to provide low-interest loans to public water systems. The amendment must be effective by Feb. 5, 2001, which is only possible through this emergency action. Continuing to provide the services and public health protection made possible by these federal funds is a compelling governmental interest.*

*A proposed amendment containing these and other changes was published in the Dec. 15, 2000 issue of the *Missouri Register*. To ensure fairness to all interested persons and parties under the circumstances, pre-publication drafts of the proposed amendment (containing these changes) were distributed to the Safe Drinking*

Water Commission, water industry associations and other interested persons. Informal public meetings were held throughout the state and input was encouraged during the development of the proposed amendment. After publication of the proposed amendment, a public hearing was held Jan. 16, 2001 for formal comments, and a comment period for written comments was provided from Dec. 15, 2000 through Jan. 31, 2001.

*The scope of this emergency amendment is limited to the issues requiring emergency action to preserve a compelling governmental interest. The procedure followed in promulgating this amendment comply with the protections extended by the *Missouri* and *U.S. Constitutions*.*

Emergency amendment filed Jan. 25, 2001, effective Feb. 5, 2001, expires Aug. 3, 2001.

(1) This rule applies to all community public water systems, **all nontransient noncommunity water systems** and those **transient noncommunity public water systems** that use surface or ground water under the direct influence of surface water.

(2) Classification of Public Water Systems.

[(B) Untreated public water systems serving fewer than fifty (50) service connections and fewer than two hundred (200) individuals shall be exempted from the operator certification provisions of this rule provided the system has demonstrated a history of safe water and has no major construction deficiencies.]

[(C)] (B) All treated public water systems will have a minimum classification of Class D. Classifications, determined from the rating values in subsection (2)/*[(E)](D)* are as follows:

1. Class E 0–20 points;
2. Class D 21–50 points;
3. Class C 51–75 points;
4. Class B 76–100 points;

and

5. Class A 101 or more points.

[(D)] (C) A public water system can request, in writing, a hearing before the department to appeal its certification classification or denial of exemption as outlined previously. The hearing shall be conducted by the director or a hearing officer designated by the director.

[(E)] (D) Rating Values for Classification of Water Systems.

Unit		Points
Source	Groundwater	3
	Surface supply (stream or river)	8
	Surface supply with reservoir(s)	6
	Purchasing finished water	—
Bacterial Quality	Shallow well	4
	Deep well with coliform count	4
	Impoundment	8
	Stream or river	10
Treatment	Aeration	2
	Coagulation—surface	10
	—ground	5
	Sedimentation—conventional	5
	—high rate upflow	10
	Filtration	10
	Disinfection—chlorine added	5
	Ion exchange	5
	Adsorption	2
	Chemical oxidation	2
	Chemical precipitation (softening)	10
	Sequestration or stabilization	2
	Fluoridation	2

Units	Points
Distribution	
Well water pumping	5
Finished water pumping	5
Storage on system	2
Capacity or Usage	
Untreated water systems or purchased water: Average consumption (gallons per day (GPD))	—
Treated water systems: Plant design capacity (GPD)	—
Points for capacity or usage from following:	—
2,000,000 gallons per day or less—1 point for each 50,000 gallons or part	
2,000,001 to 6,000,000 gallons per day—40 points plus 1 point for each 100,000 gallons or part for amount over 2,000,000 gallons	
6,000,001 to 10,000,000 gallons per day—80 points plus 1 point for each 200,000 gallons or part for amount over 6,000,000 gallons	
10,000,001 gallons or more per day—100 points	

TOTAL POINTS

(3) System Requirements.

(A) The name of the chief operator must be supplied to the department by the owner of the public water system and will be on file at all times. A chief operator may be replaced with another properly certified operator at any time. The owner shall notify the department in writing within thirty (30) days after the replacement. **The chief operator is a certified operator designated by the owner of the public water system to have overall responsibility for the day-to-day process control/system integrity decisions regarding supervisory and operational activities that will directly impact the quality and quantity of drinking water. This individual must possess a certificate at the level of or higher than the classification of the treatment facility or distribution system, or both, for which he or she is responsible.**

(E) All persons making process control/system integrity decisions must be certified.

(F) A certified operator shall be available for consultation whenever process control/system integrity decisions are made.

(4) Violations.

(A) As of January 1, 1987, no person, firm, corporation, municipal corporation or other governmental subdivision or agency shall operate a public water system unless the competency of the chief operator to operate the facility is duly certified by the department as provided in this [rule] chapter except during periods of emergency[,] or disaster [or work stoppage]. No person shall perform the duties of a chief operator without being duly certified under the provisions of 10 CSR 60-14.020.

AUTHORITY: section 640.100, RSMo [Supp. 1992] 2000. Original rule filed July 11, 1986, effective Jan. 1, 1987. Amended: Filed March 31, 1992, effective Dec. 3, 1992. Amended: Filed Nov. 15, 2000. Emergency amendment filed Jan. 25, 2001, effective Feb. 5, 2001, expires Aug. 3, 2001.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 60—Public Drinking Water Program
Chapter 14—Operator Certification**

EMERGENCY AMENDMENT

10 CSR 60-14.020 Certification of Water Supply Operators.
The department is amending sections (2), (5) and (8).

PURPOSE: The purpose of this emergency amendment is to strengthen the rule in regard to new federal requirements in order to avoid a loss of about \$2 million annually in federal funding used mainly for low-interest loans to public water systems.

EMERGENCY STATEMENT: This amendment makes changes that are needed for the state to continue to qualify for an annual allotment of about \$2 million in federal funds used for essential drinking water protection activities and to provide low-interest loans to public water systems. The amendment must be effective by Feb. 5, 2001, which is only possible through this emergency action. Continuing to provide the services and public health protection made possible by these federal funds is a compelling governmental interest.

A proposed amendment containing these and other changes was published in the Dec. 15, 2000 issue of the *Missouri Register*. To ensure fairness to all interested persons and parties under the circumstances, pre-publication drafts of the proposed amendment (containing these changes) were distributed to the Safe Drinking Water Commission, water industry associations and other interested persons. Informal public meetings were held throughout the state and input was encouraged during the development of the proposed amendment. After publication of the proposed amendment, a public hearing was held Jan. 16, 2001 for formal comments, and a comment period for written comments was provided from Dec. 15, 2000 through Jan. 31, 2001.

The scope of this emergency amendment is limited to the issues requiring emergency action to preserve a compelling governmental interest. The procedure followed in promulgating this amendment comply with the protections extended by the *Missouri* and *U.S. Constitutions*.

Emergency amendment filed Jan. 25, 2001, effective Feb. 5, 2001, expires Aug. 3, 2001.

(2) Training and Experience Required for Certification.

(A) In order to be eligible for a certificate, the applicant must have accumulated actual or equivalent operational experience and training, or both, in accordance with the following:

Certification

Classification	Minimum Requirements
A	Six (6) years' water system experience (of which two (2) years may be equivalent)
B	Four (4) years' water system experience (of which one (1) year may be equivalent)
C	Two (2) years' water system experience (of which one (1) year may be equivalent)
D	[One (1) year] One-half (1/2) year water system experience (which may be equivalent)
E	[No education or experience requirement] One-half (1/2) year water system experience (which may be equivalent)

(B) Years of equivalent experience may be computed from the following criteria. [Experience equivalence for high school and college degrees is nonadditive:

1. High school diploma or GED certificate	one-half (1/2) year;]
[2.] 1. Graduation from an approved one (1)-year certificate program in water/wastewater technology	one (1) year;
[3.] 2. College level course in biological/environmental sciences (grade C or better required; maximum of six (6) months' credit)	one (1) month per three (3) semester hours;

[4.] 3. Two (2)-year associate degree in related field (environmental health/science) one and one-half (1 1/2) years;

[5.] 4. Four (4)-year or more degree in sanitary, public health, civil, mechanical or electrical engineering or allied sciences two (2) years;

[6.] 5. An approved multiweek entry-level training course or correspondence course (maximum credit of one (1) year) one-half (1/2) year.

(H) The minimum education requirement for certification is any one (1) of the following:

1. A high school diploma;

2. A general equivalency diploma (GED);

3. Successful completion of a department-approved multi-day water system operating course, appropriate to the type of certification sought (Note: This training shall not be counted for both education and equivalent experience); or

4. Six months of experience. (Note: This experience shall not be counted for both education and equivalent experience, and is not included in the cap on equivalent experience in subsection (2)(A) of this rule.)

(5) Certification Without Examination.

(A) Certificates in appropriate classifications shall be issued without examination, upon written application, to a noncertified person *[or a person certified at a level lower than required]* who, because of changes to the operator certification program to meet federal requirements, must be certified when this individual is attested to by *[a governing body or]* the owner of *[a]* the public water system to be *[the chief operator provided that person has been an operator]* an operator in responsible charge making process control/system integrity decisions for *[the]* that public water system for at least one (1) year prior to adoption of this rule. A certificate so issued will be valid for that operator only at that particular facility provided that the source, capacity, treatment, or a combination of these, do not change. Any certificate issued under this provision shall be so marked. Applications for certification under the provisions of this subsection must be made by *[March 2, 1987]* the owner by July 31, 2002.

(B) The fee for operator certificates issued under *[the provisions of subsection (5)(A)]* this section (5) is *[fifteen dollars (\$15)]* forty-five (\$45). Certificates in appropriate classification type and level shall be issued without examination to no more than two (2) operators in responsible charge per eligible public water system.

(C) If the certificate issued under this section (5) is allowed to expire, the operator must meet the requirements for regular certification, including passing the appropriate examination.

(D) The operator may replace the restricted certificate with a regular certificate at any time by passing the applicable examination and meeting the applicable experience requirements.

(E) Operators with restricted certificates must, within three (3) years of certification, meet all requirements for renewing the restricted certificate. In order for the restricted certificate to be renewed the following conditions must be met:

1. The water system must not be in significant noncompliance with the public drinking water rules;

2. The water system owner must certify in writing to the department that the operator named on the certificate continues to perform the duties of a chief operator for the public water system;

3. A completed renewal application and renewal fee must be submitted for each certificate; and

4. The department-approved renewal training must be completed prior to the expiration of the certificate.

(8) Denial or Revocation of Certificate.

(B) The department may revoke the certificate of an operator if it is found that the operator has practiced fraud or deception in obtaining the certificate, or that the operator has exhibited gross negligence, willful malpractice or incompetence in operating a public water system *[or that the operator has]*, sabotaged the water system, misled or lied to a government official regarding the water system, participated in sample tampering or selective sampling, falsified facility operating records or reports required by 10 CSR 60 or that willful violations of 10 CSR 60 has occurred.

AUTHORITY: section 640.100, RSMo [Supp. 1992] 2000. Original rule filed July 11, 1986, effective Jan. 1, 1987. Rescinded and readopted: Filed July 15, 1991, effective March 1, 1992. Amended: Filed Nov. 15, 2000. Emergency amendment filed Jan. 25, 2001, effective Feb. 5, 2001, expires Aug. 3, 2001.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least 30 days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than 30 days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the 90-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than 30 days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

PROPOSED RULE

1 CSR 15-2.200 Subject Matter

PURPOSE: This rule sets out the matters to which this chapter applies.

This chapter 1 CSR 15-2 shall apply exclusively to proceedings in licensing cases under section 621.045, RSMo.

AUTHORITY: section 621.198, RSMo 2000. Original rule filed Jan. 11, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rule with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

PROPOSED AMENDMENT

1 CSR 15-2.290 Filing of Documents; Fax Filing; Posting Bond.
The commission is amending the Purpose and adding a new section (3).

PURPOSE: This amendment clarifies the requirements for posting a bond.

PURPOSE: This rule establishes procedures for filing documents and when they are deemed filed, and clarifies the requirement for posting bonds.

(3) Bonds. A bond is posted when the commission receives it, unless the commission orders otherwise.

AUTHORITY: sections 621.198 and 621.205, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

PROPOSED AMENDMENT

1 CSR 15-2.450 Determination of Cases Without Hearing. The commission is amending subsections (3)(A) and (4)(C).

PURPOSE: This amendment increases the time before hearing in which a motion for determination on the pleadings or for summary determination must be filed.

(3) Determination on the Pleadings.

(A) Any party may move for determination on the pleadings no fewer than *[thirty (30)]* **forty-five (45)** days before a hearing on the complaint, or ten (10) days after respondent files an amended answer, whichever is later. The motion shall admit, for purposes of the motion, all factual allegations of the opposing party's pleadings and show that under the law the moving party is entitled to relief.

(4) Summary Determination.

(C) Motion and Proceedings. The movant shall serve the motion for summary determination upon an adverse party no fewer than *[thirty (30)]* **forty-five (45)** days before the time fixed for hearing on the complaint. The opposing party may serve opposing affidavits before the day of any hearing on the motion. The commission shall grant the motion if the pleadings and evidence on file show that there is no genuine issue as to any material fact and that any party is entitled to relief as a matter of law as to all or any part of the complaint. The commission may order summary determination against the moving party.

AUTHORITY: sections 536.073.2(2) and 621.198, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 2—Licensing Cases Under Section 621.045,
RSMo**

PROPOSED AMENDMENT

1 CSR 15-2.560 Fees and Expenses. The commission is deleting sections (1)–(4), and adding a new section.

PURPOSE: This amendment clarifies how an action for litigation expenses may be brought under any law.

[(1) Any party authorized by law to be awarded fees or expenses by the commission may apply for an award by filing a complaint with the commission no later than thirty (30) days after the final disposition of the case, unless a different procedure or time period is provided by law.

(2) The complaint shall identify the party against whom the award is sought, the commission action in which the party incurred the fees or expenses, and the provision of law which authorizes the award, and state in detail the facts which support the award including any relevant conduct by the agency.

(3) An action under this regulation shall be a contested case. The commission shall assign a separate case number to the action for fees and expenses. The provisions of this chapter, except 1 CSR 15-2.350(2)(C), shall apply to an action under this regulation.

(4) The commission shall determine whether an award shall be made upon a record consisting of the record in the case in which the fees were incurred and any record on the application.]

A party may file a complaint for litigation fees and expenses as authorized by law. Such complaint shall be a separate contested case. The complaint for fees and expenses shall be governed by chapter 1 CSR 15-3.

AUTHORITY: section 621.198, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Sales and Use and Income Tax Cases
Under Section 621.050, RSMo, and All Other
Contested Cases, Except Licensing Cases Under Section
621.045, RSMo**

PROPOSED RULE

1 CSR 15-3.200 Subject Matter

PURPOSE: This rule sets out the matters to which this chapter applies.

This chapter 1 CSR 15-3 shall apply to all contested cases, except licensing cases under section 621.045, RSMo.

AUTHORITY: section 621.198, RSMo 2000. Original rule filed Jan. 11, 2001.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rule with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Revenue Cases] Sales and Use and
Income Tax Cases Under Section 621.050, RSMo, and
All Other Contested Cases, Except Licensing Cases
Under Section 621.045, RSMo

PROPOSED AMENDMENT

1 CSR 15-3.210 Definitions. The commission is amending section (1).

PURPOSE: This amendment allows this rule to apply to all contested cases before the Administrative Hearing Commission, except licensing cases under section 621.045, RSMo.

(1) As used in this chapter, the following terms mean:

(D) Complaint—the **petition, application, or other** initial pleading, other than a motion for a stay, or any amended complaint;

[(E) Director—the director of the Department of Revenue;]

[(F)] (E) Hearing—any presentation to, or consideration by, the commission of evidence or argument on a complaint, motion or application;

[(G)] (F) Petitioner—the party filing the complaint;

[(H)] (G) Pleading—a complaint or a responsive pleading;

(H) Respondent—the party against whom the complaint is filed, and any person later joined as respondent;

(J) Stay—any stay or a suspension of [the director's] any action from which petitioner is appealing.

AUTHORITY: section 621.198, RSMo [1986] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building,

Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Revenue Cases] Sales and Use and
Income Tax Cases Under Section 621.050, RSMo, and
All Other Contested Cases, Except Licensing Cases
Under Section 621.045, RSMo

PROPOSED AMENDMENT

1 CSR 15-3.290 Filing of Documents; Fax Filing; Posting Bond. The commission is amending the Purpose and adding section (3).

PURPOSE: This amendment clarifies the requirements for posting a bond and allows this rule to apply to all contested cases before the Administrative Hearing Commission, except licensing cases under section 621.045, RSMo.

PURPOSE: This rule establishes procedures for filing documents and when they are deemed filed, and clarifies the requirement for posting bonds.

(3) Bonds. A bond is posted when the commission receives it, unless the commission orders otherwise.

AUTHORITY: sections 621.198 and 621.205, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Revenue Cases] Sales and Use and
Income Tax Cases Under Section 621.050, RSMo, and
All Other Contested Cases, Except Licensing Cases
Under Section 621.045, RSMo

PROPOSED AMENDMENT

1 CSR 15-3.320 Stays or Suspensions of [the Director's] Any Action from which Petitioner Is Appealing. The commission is amending sections (1), (3)–(5).

PURPOSE: *This amendment increases the time before hearing in which a motion for determination on the pleadings or for summary determination must be filed and allows this rule to apply to all contested cases before the Administrative Hearing Commission, except licensing cases under section 621.045, RSMo.*

(1) Content.

(A) All motions for stay of the [director's] action **from which petitioner is appealing** shall be in writing.

(B) The movant shall include in the motion:

1. The full name, address and telephone number of movant, any attorney representing movant, and the [director] **respondent**;
2. Suitable space in the caption for the commission to affix a case number;
3. A clear heading, Motion for Stay;
4. Facts showing why the commission should grant the stay, set forth in numbered paragraphs, each of which shall contain, as far as practical, a single set of circumstances; and
5. A copy of [the director's finding, order, decision, assessment or additional assessment relating to the request for the stay] **any written notice of the action from which petitioner is appealing.**

(3) Specific Cases.

(A) International Fuel Tax Agreement (IFTA) Cases. The commission, with or without the filing of a motion, may stay any suspension or revocation of an IFTA license if the licensee files a complaint on that action.

(B) Department of Social Services Cases Under Section 208.156, RSMo. The commission shall not grant a stay until after a full hearing on the motion.

1. The movant must show:

- A. That immediate and irreparable injury, loss, or damage will result if such stay order is denied; or
- B. That such person has a reasonable likelihood of success upon the merits of the claim; and

2. No stay order shall be issued without the movant posting a bond in such sum as the commission finds sufficient to protect and preserve the interest of the Department of Social Services or its divisions.

3. In no event may the commission grant such stay order where the claim arises under a program or programs funded by federal funds or by any combination of state and federal funds, unless it is specified in writing by the financial section of the appropriate federal agency that federal financial participation will be continued under the stay order.

(C) Franchise Cases Under Sections 407.822.1 and 407.1031.1, RSMo. The commission's notice of hearing shall contain a stay of the action from which the petitioner seeks relief.

(4) The commission, upon either party's request, shall hold or, on its own initiative, may hold an evidentiary hearing on whether to issue or dissolve a stay order, **except as provided in subsection (3)(B) of this rule.**

(5) The commission may condition its stay order on the posting of a bond or other security, **except as provided in subsection (3)(B) of this rule. A bond or other security is posted when the commission receives it.**

AUTHORITY: *section 621.198, RSMo [1986] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Jan. 11, 2001.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than \$500 in the aggregate.*

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: *A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.*

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Revenue Cases] Sales and Use and
Income Tax Cases Under Section 621.050, RSMo, and
All Other Contested Cases, Except Licensing Cases
Under Section 621.045, RSMo**

PROPOSED AMENDMENT

1 CSR 15-3.350 Complaints. The commission is amending sections (1), (3) and (4).

PURPOSE: *This amendment allows this rule to apply to all contested cases before the Administrative Hearing Commission, except licensing cases under section 621.045, RSMo.*

(1) Content [in General].

(B) Petitioner shall include in the complaint:

1. The full name, address and telephone number of—
 - A. Petitioner; and
 - B. Any attorney representing petitioner;
2. Suitable space in the caption for the commission to affix a case number; [and]
3. [The identification of the finding, order, decision, assessment or additional assessment made by the director] **A description of the action** which petitioner is appealing and [its] the date of [issuance.] **any written notice of such action; and**
4. **As far as practical, facts in numbered paragraphs, each of which shall contain a single set of circumstances.**

(C) Petitioner shall accompany the complaint with a copy of [the finding, order, decision, assessment or additional assessment which gives rise to the complaint] **any written notice of the action from which petitioner appeals.**

(3) Notice.

(A) The commission shall serve notice of [and a copy of] the complaint on the [director] **respondent** and the petitioner [by delivery or certified mail].

(B) **The commission shall serve a copy of the complaint on the respondent.**

(4) Petitioner may amend the complaint without the commission's leave any time before the [director] **respondent** serves a responsive pleading. After the [director] **respondent** serves a responsive pleading, petitioner shall amend the complaint only with the commission's leave.

AUTHORITY: *section 621.198, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Revenue Cases] Sales and Use and
Income Tax Cases Under Section 621.050, RSMo, and
All Other Contested Cases, Except Licensing Cases
Under Section 621.045, RSMo**

PROPOSED AMENDMENT

1 CSR 15-3.380 Answers and Other Responsive Pleadings. The commission is amending and renumbering sections (1)–(8).

PURPOSE: This amendment allows this rule to apply to all contested cases before the Administrative Hearing Commission, except licensing cases under section 621.045, RSMo.

(1) The *[director]* **respondent** shall file an answer.

(2) An answer shall—

(B) Admit those portions of the complaint which the *[director]* **respondent** believes are true and deny those portions s/he believes are not true;

(D) Be signed by the *[director]* **respondent** or his/her attorney.

[(3)] When the director is denying an application for a license or taking action against a license, the answer, in addition to the requirements of section (2) of this rule, shall—

[(A)] (E) Describe any conduct that is cause for [denial or discipline] the action that petitioner is appealing with sufficient specificity to enable the petitioner to prepare for hearing;

[(B)] (F) State which provisions of [law] constitution, statute, or regulation provide the legal basis for [denial or discipline] the action that petitioner is appealing;

[(C)] (G) Include a copy of [the director's order or] any written notice of the action of which petitioner seeks review, unless such written notice was included in the complaint; and

[(D)] (H) Set forth facts which show that the [director] respondent has complied with any provisions of law requiring him/her to notify the licensee of [his/her actions against his/her license or application] the action that petitioner is appealing.

[(4)] (3) The [director] respondent shall file any responsive pleading no later than thirty (30) days after receiving the notice of complaint.

[(5)] (4) The filing of a responsive pleading, other than an answer, that requests the commission to take some action shall increase the time in which the [director] respondent shall file an answer, as set by section [(4)] (3) of this rule, as follows, unless the commission orders otherwise—

(A) If the commission denies the request, the *[director]* **respondent** shall file the answer no later than ten (10) days after the commission so orders;

(B) If the commission issues an order postponing its ruling on the request until hearing, the *[director]* **respondent** shall file the answer no later than ten (10) days after the commission so orders;

(C) If the commission issues an order granting the request, but the order does not dispose of the entire complaint, respondent shall file the answer no later than ten (10) days after the commission so orders; and

(D) If the commission orders petitioner to amend the complaint, the *[director]* **respondent** shall file the answer no later than ten (10) days after service of the amended complaint. In any case, the time allowed for filing an answer shall be no less than the time which remained when the responsive pleading was filed.

[(6)] (5) The [director] respondent shall file an answer to an amended complaint within ten (10) days after service of the amended complaint or within the time remaining for filing an answer to the original complaint, whichever is longer, unless the commission orders otherwise.

[(7)] (6) Otherwise, the [director] respondent shall amend the answer only with the commission's leave.

[(8)] (7) Failure to File.

(A) The commission, on its own motion or that of any party, may order a remedy for respondent's failure to file an answer or other responsive pleading, or failure to otherwise comply with this rule.

(B) **Except in cases under sections 407.822.1 or 407.1031.1, RSMo, [P]etitioner shall file the motion not fewer than thirty (30) days before the hearing on the complaint or the motion shall be waived. In cases under sections 407.822.1 or 407.1031.1, RSMo, petitioner shall file a motion for a remedy only with the commission's leave and pursuant to a schedule ordered by the commission.**

(C) Remedies under this section may include an order that respondent is deemed to have—

1. Admitted the facts pleaded in the complaint;
2. Waived any defense to the complaint; and
3. Defaulted on any issue raised in the complaint.

(D) The commission may dispose of any issue on which it deems respondent to have defaulted. The commission shall determine the appropriate remedy based on the facts of the case. Respondent's failure to file an answer or other responsive pleading or otherwise comply with this rule shall not constitute the admission of any facts or entitle petitioner to the relief requested in the complaint unless the commission so orders.

AUTHORITY: section 621.198, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Revenue Cases] Sales and Use and
Income Tax Cases Under Section 621.050, RSMo, and
All Other Contested Cases, Except Licensing Cases
Under Section 621.045, RSMo

PROPOSED AMENDMENT

1 CSR 15-3.450 Determination of Cases Without Hearing. The commission is amending sections (3) and (4).

PURPOSE: This amendment allows this rule to apply to all contested cases before the Administrative Hearing Commission, except licensing cases under section 621.045, RSMo.

(3) Determination on the Pleadings.

(A) In cases under sections 407.822.1 or 407.1031.1, RSMo, a motion for determination on the pleadings shall be filed only with the commission's leave and pursuant to a schedule ordered by the commission. In all other cases, [A]any party [may move] shall serve a motion for determination on the pleadings no fewer than [thirty (30)] **forty-five (45)** days before a hearing on the complaint, or ten (10) days after respondent files an amended answer, whichever is later. The motion shall admit, for purposes of the motion, all factual allegations of the opposing party's pleadings and show that under the law the moving party is entitled to relief.

(4) Summary Determination.

(A) For Petitioner. Petitioner may move for summary determination on all or any part of the complaint as **this section provides**. Except in cases under sections 407.822.1 or 407.1031.1, RSMo, [P]petitioner may so move after the time has passed for the [director] **respondent** to file a responsive pleading or in response to this motion filed by the [director] **respondent**.

(B) For the [Director] **Respondent**. The [director] **respondent** may move for summary determination on all or any part of the complaint as **this section provides**.

(C) Motion and Proceedings. [The] In cases under sections 407.822.1 or 407.1031.1, RSMo, a motion for determination on the pleadings shall be filed only with the commission's leave and pursuant to a schedule ordered by the commission. In all other cases, a movant shall serve the motion for summary determination upon an adverse party no fewer than [thirty (30)] **forty-five (45)** days before the time fixed for hearing on the complaint. The opposing party may serve opposing affidavits before the day of any hearing on the motion. The commission shall grant the motion if the pleadings and evidence on file show that there is no genuine issue as to any material fact and that any party is entitled to relief as a matter of law as to all or any part of the complaint. The commission may order summary determination against the moving party.

AUTHORITY: sections 536.073.2(2) and 621.198, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building,

Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Revenue Cases] Sales and Use and
Income Tax Cases Under Section 621.050, RSMo, and
All Other Contested Cases, Except Licensing Cases
Under Section 621.045, RSMo

PROPOSED AMENDMENT

1 CSR 15-3.490 Hearings on Complaints. The commission is amending section (5).

PURPOSE: This amendment allows this rule to apply to all contested cases before the Administrative Hearing Commission, except licensing cases under section 621.045, RSMo.

(5) Order of Proof. Regardless of which party has the burden of proof, [the parties shall present evidence in the following order] **respondent shall present evidence first** unless the commission orders otherwise[.].

[A] In any case in which the petitioner contests discipline on its license, the director shall present evidence first; or

[B] In any other case, the petitioner shall present evidence first.]

AUTHORITY: section 621.198, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—[Revenue Cases] Sales and Use and
Income Tax Cases Under Section 621.050, RSMo, and
All Other Contested Cases, Except Licensing Cases
Under Section 621.045, RSMo

PROPOSED AMENDMENT

1 CSR 15-3.560 Fees and Expenses. The commission is deleting sections (1)–(4) and adding a new section.

PURPOSE: This amendment clarifies how an action for litigation expenses may be brought under any law and allows this rule to apply to all contested cases before the Administrative Hearing Commission, except licensing cases under section 621.045, RSMo.

[(1) Any party authorized by law to be awarded fees or expenses by the commission may apply for an award by filing a complaint with the commission no later than thirty (30) days after the final disposition of the case, unless a different procedure or time period is provided by law.

(2) The complaint shall identify the party against whom the award is sought, the commission action in which the party incurred the fees or expenses, and the provision of law which authorizes the award and state in detail the facts which support the award including any relevant conduct by the director.

(3) An action under this regulation shall be a contested case. The commission shall assign a separate case number to the action for fees and expenses. The provisions of this chapter, except 1 CSR 15-3.350(1)(B)3. and (1)(G), shall apply to an action under this regulation.

(4) The commission shall determine whether an award shall be made upon a record consisting of the record in the case in which the fees were incurred and any record on the application.]

A party may file a complaint for litigation fees and expenses as authorized by law. Such complaint shall be a separate contested case. The complaint for fees and expenses shall be governed by this chapter.

AUTHORITY: section 621.198, RSMo [1994] 2000. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Amended: Filed Jan. 11, 2001.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed amendment with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.210 Definitions. This rule set out the definitions of terms used in the rules of the Administrative Hearing Commission.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.210 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.230 Computation of Time; Extensions of Time. This rule set forth the manner in which time periods would be computed.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.230 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.250 Practice by a Licensed Attorney; When Required. This rule stated when and how a party must be represented by a licensed attorney.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.250 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.270 Service of Filings Other Than the Original Complaint. This rule required that anyone filing anything other than a complaint with the commission send copies to all parties.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.270 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.290 Filing of Documents; Fax Filing. This rule established procedures for filing documents and when they were deemed filed.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.290 will duplicate it.

AUTHORITY: sections 621.198 and 621.205, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed

Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.320 Stays or Suspensions of Committee Action. This rule described the form and content of a motion for stay or suspension of any of the committee's actions, the number of copies required and who was served with a stay order.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.320 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.350 Complaints. This rule described the form and content of the complaints, the number of copies required, how the complaints were served and how they were amended.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.350 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.380 Answers and Other Responsive Pleadings. This rule described who was required to file a responsive pleading, how it should be filed, the form and content of the answer and how an answer was amended.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.380 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.390 Intervention. This rule described who may intervene in an action and how to intervene.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.390 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.410 Closing of Case Records and Hearings. This rule described the procedure for closing records or a hearing in a particular case.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.410 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.420 Discovery. This rule explained the manner in which discovery may be obtained.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.420 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.430 Dismissal. This rule described how a case may be dismissed with or without prejudice.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.430 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, P.O. Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.450 Determination of Cases Without Hearing. This rule provided for disposition of a contested case by stipulation, agreed settlement, or by disposition in the nature of default judgment, judgment on the pleadings or summary judgment as required by section 536.073, RSMo Supp. 1991.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.450 will duplicate it.

AUTHORITY: sections 536.073.2(2) and 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.470 Prehearing Conferences. This rule described the setting and subject matter of the prehearing conference.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.470 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.480 Hearings on Motions. This rule described how a party may obtain oral argument or an evidentiary hearing on a motion.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.480 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.490 Hearings on Complaints. This rule described the procedures for the setting of, continuance of, and order of proof in hearings on complaints.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.490 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.510 Transcripts. This rule set forth procedures for the availability and correction of a transcript and when the hearing reporter may destroy records.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.510 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.530 Bench Rulings and Memorandum Decisions. This rule established a procedure for parties to obtain a bench ruling or a memorandum decision, as provided by section 536.068, RSMo Supp. 1990.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.530 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.560 Fees and Expenses. This rule established a procedure to allow parties to make application for fees and expenses when authorized by statute or other law.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.560 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 5—Certificate of Need Cases**

PROPOSED RESCISSION

1 CSR 15-5.580 Certifications of Records. This rule set forth the content of the record and the procedure by which the commission caused the record to be certified to a court or to a licensing agency.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.580 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.210 Definitions. This rule set out the definitions of terms used in the rules of the Administrative Hearing Commission.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.210 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.230 Computation of Time; Extensions of Time. This rule set forth the manner in which time periods would be computed.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.230 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.250 Practice by a Licensed Attorney; When Required. This rule stated when and how a party must be represented by a licensed attorney.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.250 will duplicate it.

AUTHORITY: sections 621.035 and 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.270 Service of Filings Other Than the Original Complaint. This rule required that anyone filing anything other than a complaint with the commission send copies to all parties.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.270 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.290 Filing of Documents; Fax Filing. This rule established procedures for filing documents and when they were deemed filed.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.290 will duplicate it.

AUTHORITY: sections 621.198 and 621.205, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed

Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.320 Stays or Suspensions of Department Action. This rule described the form and content of a motion for stay or suspension of any of the committee's actions, the number of copies required and who is served with a stay order.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.320 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.350 Complaints. This rule described the form and content of the complaints, the number of copies required, how the complaints are served and how they were amended.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.350 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.380 Answers and Other Responsive Pleadings. This rule described who was required to file a responsive pleading, how it should have been filed, the form and content of the answer and how an answer was amended.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.380 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.390 Intervention. This rule described who may intervene in an action and how to intervene.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.390 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.410 Closing of Case Records and Hearings. This rule described the procedure for closing records or a hearing in a particular case.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.410 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.420 Discovery. This rule explained the manner in which discovery may be obtained.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.420 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.430 Dismissal. This rule described how a case could be dismissed with or without prejudice.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.430 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.450 Determination of Cases Without Hearing. This rule provided for disposition of a contested case by stipulation, agreed settlement, or by disposition in the nature of default judgment, judgment on the pleadings or summary judgment as required by section 536.073, RSMo Supp. 1991.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.450 will duplicate it.

AUTHORITY: sections 536.073.2(2) and 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended:

Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.470 Prehearing Conferences. This rule described the setting and subject matter of the prehearing conference.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.470 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.480 Hearings on Motions. This rule described how a party might obtain oral argument or an evidentiary hearing on a motion.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.480 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.490 Hearings on Complaints. This rule described the procedures for the setting of, continuance of, and order of proof in hearings on complaints.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.490 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.510 Transcripts. This rule set forth procedures for the availability and correction of a transcript and when the hearing reporter might destroy records.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.510 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.530 Bench Rulings and Memorandum Decisions. This rule established a procedure for parties to obtain a bench ruling or a memorandum decision, as provided by section 536.068, RSMo Supp. 1990.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.530 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.560 Fees and Expenses. This rule established a procedure to allow parties to make application for fees and expenses when authorized by statute or other law.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.560 will duplicate it.

AUTHORITY: section 621.198, RSMo 1994. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed Oct. 31, 1994, effective May 28, 1995. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 1—OFFICE OF ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 6—Medicaid Cases**

PROPOSED RESCISSION

1 CSR 15-6.580 Certifications of Records. This rule set forth the content of the record and the procedure by which the commission shall cause the record to be certified to a court or to a licensing agency.

PURPOSE: The commission is rescinding this rule because 1 CSR 15-3.580 will duplicate it.

AUTHORITY: section 621.198, RSMo 1986. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Rescinded: Filed Jan. 11, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing is scheduled for 12:00 p.m., March 19, 2001, at the Administrative Hearing Commission's official residence—Room 640, Truman State Office Building, Jefferson City, Missouri. Anyone may file a statement in support of or in opposition to this proposed rescission with the Administrative Hearing Commission, Karen A. Winn, Commissioner, PO Box 1557, Jefferson City, MO 65102. To be considered, comments must be received no later than March 19, 2001.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

PROPOSED AMENDMENT

13 CSR 15-4.050 Funding Formula and Fiscal Management. The director of the Division of Aging proposes to amend this rule by deleting references to weights and obsolete language in sections (1)–(3), (5)–(7) and adding new subsections (2)(N) and (2)(V) and (6)(P) to include the new percentage figures for each area agency on aging.

PURPOSE: This amendment revises the funding formulas which allow the Division of Aging to disburse funds to the area agencies on aging in the state.

(1) The division in consultation with all Area Agencies on Aging (AAAs) shall develop and use an intrastate funding formula for the allocation of funds received under Title III of the Older Americans Act (the Act) with the exception of Title III[-F] funds allocated for [d/Disease [p/Prevention and [h/Health [p/Promotion [s/Services[,] and Title III-B funds utilized for outreach demonstration projects and the ombudsman program.

(2) The intrastate funding formula for the state of Missouri shall be established by the proportion of the population in each planning and service area (PSA) as calculated by using the following four (4) factors [and weights]:

(D) All individuals in each PSA who are sixty (60) years of age or older who are in the greatest social need. The [weighted] basis for this factor shall be determined by the number of individuals who are of the appropriate age—

1. With a physical or mental disability;
2. With a language barrier;
3. Who are geographically isolated; or
4. Who are culturally or socially isolated;

[(E) The factors and weights shall be applied as follows:

1. Individuals sixty (60) years of age or older = 25%;
2. Individuals sixty (60) years of age or older, low income = 25%;
3. Individuals sixty (60) years of age or older, low-income minority = 25%; and
4. Individuals sixty (60) years of age or older in greatest social need = 25%. The subfactors of this factor shall be weighted as follows:

A. Individuals sixty (60) years of age or older with a physical or mental disability = 6.25%;

B. Individuals sixty (60) years of age or older with a language barrier = 6.25%;

C. Individuals sixty (60) years of age or older who are geographically isolated = 6.25%. This category is comprised of individuals sixty (60) years of age or older who live in territory, population and housing units in nonurbanized areas and in places with populations of less than two thousand five hundred (2,500) not otherwise designated by the census as urban; and

D. Individuals sixty (60) years of age or older who are culturally or socially isolated = 6.25%. This category is comprised of minority individuals sixty (60) years of age or older;]

[(F)](E) Data used to compute the area agency on aging allotment percentages was derived from the 1990 Census of Population and Housing, Summary Tape 3A for the following categories:

1. Population sixty (60) years of age and over for funds allocated for the period July 1, 1994 through June 30, 1995;
2. Population sixty (60) years of age and over, below poverty;
3. Population sixty (60) years of age and over, minority below poverty;
4. Population sixty (60) years of age and over, rural or geographically isolated; and
5. Population sixty (60) years of age and over, minority;

[(G)](F) Data from the 1990 Census of Population and Housing, Summary Tape File 4A was used for the following categories:

1. Population sixty (60) years of age and over with a disability;
2. Population sixty (60) years of age and over with limited English;

[(H)](G) Data used to compute the area agency on aging allotment percentages was derived from the 1993 Census Estimates prepared by the Missouri Office of Administration for the population sixty (60) years of age and over for funds allocated for the period July 1, 1994 through June 30, 1995;

[(I)](H) Data used to compute the area agency on aging allotment percentages was derived from the 1993 Census Estimates prepared by the Missouri Office of Administration for the population sixty (60) years of age and over for funds allocated for the period July 1, 1995 through June 30, 1996;

[(J)](I) Data used to compute the area agency on aging allotment percentages was derived from the 1994 Census Estimates prepared by the Missouri Office of Administration for the population sixty (60) years of age and over for funds allocated for the period July 1, 1996 through June 30, 1997;

[(K)](J) Data used to compute the area agency on aging allotment percentages was derived from the 1995 Census Estimates prepared by the Missouri Office of Administration for the population sixty (60) years of age and over for funds allocated for the period July 1, 1997 through June 30, 1998;

[(L)](K) Data used to compute the area agency on aging allotment percentages was derived from the 1996 Census Estimates prepared by the Missouri Office of Administration for the population sixty (60) years of age and over for funds allocated for the period July 1, 1998 through June 30, 1999;

[(M)](L) Data used to compute the area agency on aging allotment percentages was derived from the 1997 Census Estimates prepared by the Missouri Office of Administration for the population sixty (60) years of age and over for funds allocated for the period July 1, 1999 through June 30, 2000;

[(N)](M) Data used to compute the area agency on aging allotment percentages was derived from the 1998 Census Estimates prepared by the Missouri Office of Administration for the population sixty (60) years of age and over for funds allocated for the period July 1, 2000 through June 30, 2001;

(N) Data used to compute the area agency on aging allotment percentages was derived from the 1999 Census Estimates prepared by the Missouri Office of Administration for the population sixty (60) years of age and over for funds allocated for the period July 1, 2001 through June 30, 2002;

(O) Based on the factors *[and weights]* stated in this rule, the percentage of funds allocated to each PSA for the period July 1, 1994 through June 30, 1995, are as follows:

1. Southwest Missouri Office on Aging—12.45%;
2. Southeast Missouri Area Agency on Aging—10.66%;
3. District III Area Agency on Aging—6.73%;
4. Northwest Missouri Area Agency on Aging—6.62%;
5. Northeast Missouri Area Agency on Aging—5.76%;
6. Central Missouri Area Agency on Aging—10.79%;
7. Mid-America Regional Council Area Agency on Aging—14.21%;
8. Mid-East Area Agency on Aging—19.34%;
9. City of St. Louis Area Agency on Aging—9.80%; and
10. Area Agency on Aging Region X—3.64%;

(P) Based on the factors *[and weights]* stated in this rule, the percentage of funds allocated to each PSA for Fiscal Year 1996 beginning on July 1, 1995 and ending June 30, 1996, are as follows:

1. Southwest Missouri Office on Aging—12.58%;
2. Southeast Missouri Area Agency on Aging—10.57%;
3. District III Area Agency on Aging—6.63%;
4. Northwest Missouri Area Agency on Aging—6.49%;
5. Northeast Missouri Area Agency on Aging—5.65%;
6. Central Missouri Area Agency on Aging—10.86%;
7. Mid-America Regional Council Area Agency on Aging—14.32%;
8. Mid-East Area Agency on Aging—20.07%;
9. City of St. Louis Area Agency on Aging—9.19%; and
10. Agency on Aging Region X—3.64%;

(Q) Based on the factors *[and weights]* stated in this rule, the percentage of funds allocated to each PSA for Fiscal Year 1997 beginning on July 1, 1996 and ending June 30, 1997, are as follows:

1. Southwest Missouri Office on Aging—12.63%;
2. Southeast Missouri Area Agency on Aging—10.54%;
3. District III Area Agency on Aging—6.61%;
4. Northwest Missouri Area Agency on Aging—6.44%;
5. Northeast Missouri Area Agency on Aging—5.63%;
6. Central Missouri Area Agency on Aging—10.88%;
7. Mid-America Regional Council Area Agency on Aging—14.35%;
8. Mid-East Area Agency on Aging—20.28%;
9. City of St. Louis Area Agency on Aging—9.00%; and
10. Area Agency on Aging Region X—3.64%;

(R) Based on the factors *[and weights]* stated in this rule, the percentages of funds allocated to each PSA for the Fiscal Year 1998 beginning on July 1, 1997 and ending June 30, 1998, are as follows:

1. Southwest Missouri Office on Aging—12.69%;
2. Southeast Missouri Area Agency—10.52%;
3. District III Area Agency—6.60%;
4. Northwest Missouri Area Agency—6.40%;
5. Northeast Missouri Area Agency—5.61%;
6. Central Missouri Area Agency—10.91%;
7. Mid-America Regional Council—14.39%;
8. Mid-East Area Agency—20.42%;
9. St. Louis Area Agency—8.82%; and
10. Region X Area Agency—3.64%;

(S) Based on the factors *[and weights]* stated in this rule, the percentages of funds allocated to each PSA for the Fiscal Year 1999 beginning on July 1, 1998 and ending June 30, 1999, are as follows:

1. Southwest Missouri Office on Aging—12.76%;
2. Southeast Missouri Area Agency—10.48%;
3. District III Area Agency—6.59%;
4. Northwest Missouri Area Agency—6.35%;
5. Northeast Missouri Area Agency—5.59%;
6. Central Missouri Area Agency—10.94%;
7. Mid-America Regional Council—14.42%;
8. Mid-East Area Agency—20.59%;
9. St. Louis Area Agency—8.64%; and
10. Region X Area Agency—3.64%;

(T) Based on the factors *[and weights]* stated in this rule, the percentages of funds allocated to each PSA for the Fiscal Year 2000 beginning on July 1, 1999 and ending June 30, 2000, are as follows:

1. Southwest Missouri Office on Aging—12.82%;
2. Southeast Missouri Area Agency—10.46%;
3. District III Area Agency—6.59%;
4. Northwest Missouri Area Agency—6.30%;
5. Northeast Missouri Area Agency—5.59%;
6. Central Missouri Area Agency—10.97%;
7. Mid-America Regional Council—14.46%;
8. Mid-East Area Agency—20.72%;
9. St. Louis Area Agency—8.46%; and
10. Region X Area Agency—3.63%; *[and]*

(U) Based on the factors *[and weights]* stated in this rule, the percentages of funds allocated to each PSA for the Fiscal Year 2001 beginning on July 1, 2000 and ending June 30, 2001, are as follows:

1. Southwest Missouri Office on Aging—12.87%;
2. Southeast Missouri Area Agency—10.43%;
3. District III Area Agency—6.57%;
4. Northwest Missouri Area Agency—6.26%;
5. Northeast Missouri Area Agency—5.58%;
6. Central Missouri Area Agency—11.00%;
7. Mid-America Regional Council—14.49%;
8. Mid-East Area Agency—20.86%;
9. St. Louis Area Agency—8.30%; and
10. Region X Area Agency—3.64%; *[and]*

(V) Based on the factors stated in this rule, the percentages of funds allocated to each PSA for the Fiscal Year 2002 beginning on July 1, 2001 and ending June 30, 2002, are as follows:

1. Southwest Missouri Office on Aging—12.93%;
2. Southeast Missouri Area Agency—10.40%;
3. District III Area Agency—6.56%;
4. Northwest Missouri Area Agency—6.23%;
5. Northeast Missouri Area Agency—5.55%;
6. Central Missouri Area Agency—11.03%;
7. Mid-America Regional Council—14.53%;
8. Mid-East Area Agency—20.93%;
9. St. Louis Area Agency—8.21%; and
10. Region X Area Agency—3.63%.

(3) The funds allocated to each area agency shall include an identical base amount to each AAA in the state and an amount allotted using the factors *[and weights]* in section (2).

(5) The division in consultation with all AAAs shall develop and use an intrastate funding formula for the allocation of Title III/-F/ funds for Disease Prevention and Health Promotion Services.

(6) The intrastate funding formula for the allocation of Title III/-F/ funds for **[Missouri] Disease Prevention and Health Promotion Services** shall be established by the proportion of the sum of the factors for each PSA to the total of the factors for the state as calculated by using the following three (3) factors *[and weights]*:

(I) Based upon the factors *[and weights]* stated in this rule, the percentage of funds allocated to each PSA for Fiscal Year 1997 is as follows:

1. Southwest Missouri Office on Aging—12.79%;
2. Southeast Missouri Area Agency on Aging—10.98%;
3. District III Area Agency on Aging—7.30%;
4. Northwest Missouri Area Agency on Aging—7.55%;
5. Northeast Missouri Area Agency on Aging—6.70%;
6. Central Missouri Area Agency on Aging—11.67%;
7. Mid-America Regional Council—13.51%;
8. Mid-East Area Agency on Aging—11.30%;
9. St. Louis City Area Agency on Aging—13.01%; and
10. Area Agency on Aging Region X—5.19%;

(K) Based upon the factors *[and weights]* stated in this rule, the percentage of funds allocated to each PSA for Fiscal Year 1998 is as follows:

1. Southwest Missouri Office on Aging—12.46%;
2. Southeast Missouri Area Agency—11.25%;
3. District III Area Agency—7.06%;
4. Northwest Missouri Area Agency—6.94%;
5. Northeast Missouri Area Agency—6.68%;
6. Central Missouri Area Agency—9.23%;
7. Mid-America Regional Council—19.06%;
8. Mid-East Area Agency—11.90%;
9. St. Louis Area Agency—10.60%; and
10. Region X Area Agency—4.82%;

(M) Based upon the factors *[and weights]* stated in this rule, the percentages of funds allocated to each PSA for Fiscal Year 1999 are as follows:

1. Southwest Missouri Office on Aging—12.89%;
2. Southeast Missouri Area Agency—11.06%;
3. District III Area Agency—7.34%;
4. Northwest Missouri Area Agency—7.00%;
5. Northeast Missouri Area Agency—6.37%;
6. Central Missouri Area Agency—9.19%;
7. Mid-America Regional Council—19.00%;
8. Mid-East Area Agency—11.99%;
9. St. Louis Area Agency—10.60%; and
10. Region X Area Agency—4.56%;

(N) Based upon the factors *[and weights]* stated in this rule, the percentage of funds allocated to each PSA for Fiscal Year 2000 are as follows:

1. Southwest Missouri Office on Aging—12.50%;
2. Southeast Missouri Area Agency—11.38%;
3. District III Area Agency—7.31%;
4. Northwest Missouri Area Agency—7.03%;
5. Northeast Missouri Area Agency—6.64%;
6. Central Missouri Area Agency—9.21%;
7. Mid-America Regional Council—18.83%;
8. Mid-East Area Agency—12.06%;
9. St. Louis Area Agency—10.19%; and
10. Region X Area Agency—4.85%; *[and]*

(O) Based upon the factors *[and weights]* stated in this rule, the percentages of funds allocated to each PSA for Fiscal Year 2001 are as follows:

1. Southwest Missouri Office on Aging—12.61%;
2. Southeast Missouri Area Agency—11.35%;
3. District III Area Agency—7.31%;
4. Northwest Missouri Area Agency—6.98%;
5. Northeast Missouri Area Agency—6.70%;
6. Central Missouri Area Agency—9.24%;
7. Mid-America Regional Council—18.93%;
8. Mid-East Area Agency—12.15%;
9. St. Louis Area Agency—9.96%; and
10. Region X Area Agency—4.77%*[.]*; and

(P) Based upon the factors stated in this rule, the percentages of funds allocated to each PSA for Fiscal Year 2002 are as follows:

1. Southwest Missouri Office on Aging—14.27%;
2. Southeast Missouri Area Agency—12.18%;
3. District III Area Agency—6.46%;
4. Northwest Missouri Area Agency—7.86%;
5. Northeast Missouri Area Agency—5.74%;
6. Central Missouri Area Agency—8.33%;
7. Mid-America Regional Council—8.45%;
8. Mid-East Area Agency—19.65%;
9. St. Louis Area Agency—11.02%; and
10. Region X Area Agency—6.04%.

(7) Area agencies on aging shall have available not more than ten percent (10%) of the total federal Older Americans Act Title III Part B, Part C-1, Part C-2, *[Part D, and Part F]* and **Title III Disease Prevention and Health Promotion Services** funds for paying such percentage, but not more than seventy-five percent (75%) of the cost of administration of the area plan. The ten percent (10%) administration allowance shall only be taken from amounts made available to the area agencies on aging from federal Older Americans Act Title III Part B, Part C-1, and Part C-2.

AUTHORITY section 660.050, RSMo [Supp. 1999] 2000. This rule was previously filed as 13 CSR 15-6.195. Original rule filed Jan. 6, 1986, effective April 30, 1986. For intervening history, please consult the Code of State Regulations. Amended: Filed: Jan. 16, 2001.

PUBLIC COST: In accordance with section 305 of the Older Americans Act, the Division of Aging as the state unit on aging has designated 10 area agencies on aging within the state. This rule is specific to those 10 area agencies on aging. Seven of the entities are non-profit organizations and three are public organizations. The public entities and their respective increase/(decrease) in revenues are: Mid-America Regional Council Area Agency on Aging—(\$21,840), City of St. Louis Area Agency on Aging—(\$21,325) and Area Agency on Aging Region X—\$1,236.

PRIVATE COST: In accordance with section 305 of the Older Americans Act, the Division of Aging as the state unit on aging has designated 10 area agencies on aging within the state. This rule is specific to those 10 area agencies on aging. Seven of the entities are non-profit organizations and three are public organizations. The non-profit agencies and their respective increase/(decrease) in revenues are: Southwest Missouri Office on Aging—\$21,622, Southeast Missouri Area Agency on Aging—(\$5,617), District III Area Agency on Aging—(\$5,398), Northwest Missouri Area Agency on Aging—(\$5,463), Northeast Missouri Area Agency on Aging—(\$11,218), Central Missouri Area Agency on Aging—(\$5,367) and Mid-East Area Agency on Aging—\$42,633.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Aging, Richard C. Dunn, Director, PO Box 1337, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 13 - Department of Social Services

Division: 15 - Division of Aging

Chapter: 4 - Older Americans Act

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 13 CSR 15-4.050, Funding Formula and Fiscal Management

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Mid-America Regional Council	\$(21,840)
City of St. Louis	\$(21,325)
Area Agency on Aging Region X	\$ 1,236

III. WORKSHEET

Funding formula for distribution of funds:

	Increase/(Decrease) in Title III Funds	Increase/(Decrease) in Title III F Funds
Mid America Regional Council	\$ 10,952	\$(32,792)
City of St. Louis	(24,642)	3,317
Area Agency on Aging Region X	(2,738)	3,974
Total	\$(16,428)	\$(25,501)

IV. ASSUMPTIONS

1. In accordance with the federal Older Americans Act (OAA), this rule relates to the Missouri Department of Social Services/Division of Aging (DSS/DA), the designated state agency responsible for development and implementation of a state plan on aging under Titles III, V and VII of the Act.
2. This rule is specific to the state unit on aging within DSS/DA as mandated by Title III of the OAA and designated area agencies on aging. In accordance with section 305 of the OAA, DA as the state unit on aging has designated ten (10) area agencies on aging within the state. This rule is specific to those ten (10) area agencies on aging. Seven (7) of the entities are non-profit organizations and three (3) are public organizations. The non-profit agencies are: Southwest Missouri Office on Aging, Southeast Missouri Area Agency on Aging, District III Area Agency

on Aging, Northwest Missouri Area Agency on Aging, Northeast Missouri Area Agency on Aging, Central Missouri Area Agency on Aging and Mid-East Area Agency on Aging. The public entities are: Mid-America Regional Council Area Agency on Aging, City of St. Louis Area Agency on Aging and Area Agency on Aging Region X.

3. This rule is mandated by the OAA; therefore, a takings analysis is not required under section 536.017, RSMo (Supp. 1999).
4. The OAA mandates Title III funds, with limited exceptions detailed within section 304, be distributed to area agencies on aging designated by the state unit on aging. DA, the designated state unit on aging, is responsible for developing in consultation with the area agencies on aging an intrastate funding formula for distribution of Title III funds to area agencies on aging. The intrastate funding formula is based upon criteria found within section 305 of the OAA.
5. This rule is federally mandated; therefore, the life of the rule cannot be determined by DA.
6. The aggregate decrease in public revenues over the life of the rule may be obtained by multiplying the revenues above by the number of years the rule is projected to be in effect. Consideration should be given to the demographic changes as contained within information from the US Department of Commerce, Bureau of the Census and population estimates prepared by the Missouri Office of Administration. Further, the area agency on aging funding levels are annually affected by the level of federal, Administration on Aging grant awards to Missouri.
7. Area agencies on aging do not cover the same number of counties nor do they receive the same level of funding. In order to obtain a reasonable estimate of the decreased revenue to a single area agency on aging, first divide the anticipated decrease in public revenues by the number of public or private area agencies on aging affected under this specific fiscal note.
8. Any other costs not identified within this fiscal note are unforeseeable and unquantifiable.

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 13 - Department of Social Services

Division: 15 - Division of Aging

Chapter: 4 - Older Americans Act

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 13 CSR 15-4.050, Funding Formula and Fiscal Management

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
7	Area agencies on aging	\$41,929*

*The aggregate change over the life of the rule may be obtained by multiplying the revenues above by the number of years the rule is projected to be in effect.

III. WORKSHEET

Funding formula for distribution of funds:

	Increase/(Decrease) in Title III Funds	Increase/(Decrease) in Title III F Funds
Southwest Office on Aging	\$16,428	\$ 5,194
Southeast Missouri Area Agency	(8,214)	2,597
District III Area Agency	(2,738)	(2,660)
Northwest Missouri Area Agency	(8,214)	2,754
Northeast Missouri Area Agency	(8,214)	(3,004)
Central Missouri Area Agency	8,214	(2,847)
Mid East Area Agency	<u>19,166</u>	<u>23,467</u>
TOTALS	\$16,428	\$ 25,501

IV. ASSUMPTIONS

1. In accordance with the federal Older Americans Act (OAA), this rule relates to the Missouri Department of Social Services/Division of Aging (DSS/DA), the designated state agency responsible for development and implementation of a state plan on aging under Titles III, V and VII of the Act.
2. This rule is specific to the state unit on aging within DSS/DA as mandated by Title III of the OAA and designated area agencies on aging. In accordance with section 305 of the Act, DA as the state unit on aging has designated ten (10) area agencies on aging within the state. This rule is specific to those ten (10) area agencies on aging. Seven (7) of the entities are non-profit organizations and three (3) are public organizations. The non-profit agencies are: Southwest Missouri Office on Aging, Southeast Missouri Area Agency on Aging, District III Area Agency on Aging, Northwest Missouri Area Agency on Aging, Northeast Missouri Area Agency on Aging, Central Missouri Area Agency on Aging and Mid-East Area Agency on Aging. The public entities are: Mid-America Regional Council Area Agency on Aging, City of St. Louis Area Agency on Aging and Area Agency on Aging Region X.
3. This rule is mandated by the OAA; therefore, a takings analysis is not required under section 536.017, RSMo (Supp. 1999).
4. The OAA mandates Title III funds, with limited exceptions detailed within section 304, be distributed to area agencies on aging designated by the state unit on aging. DA, the designated state unit on aging, is responsible for developing in consultation with the area agencies on aging an intrastate funding formula for distribution of Title III funds to area agencies on aging. The intrastate funding formula is based upon criteria found within section 305 of the OAA.
5. This rule is federally mandated; therefore, the life of the rule cannot be determined by DA.
6. The aggregate decrease in public revenues over the life of the rule may be obtained by multiplying the revenues above by the number of years the rule is projected to be in effect. Consideration should be given to the demographic changes as contained within information from the US Department of Commerce, Bureau of the Census and population estimates prepared by the Missouri Office of Administration. Further, the area agency on aging funding levels are annually affected by the level of federal, Administration on Aging grant awards to Missouri.
7. Area agencies on aging do not cover the same number of counties nor do they receive the same level of funding. In order to obtain a reasonable estimate of the decreased revenue to a single area agency on aging, first divide the anticipated decrease in public revenues by the number of public or private area agencies on aging affected under this specific fiscal note.
8. Any other costs not identified within this fiscal note are unforeseeable and unquantifiable.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 28—Immunization**

PROPOSED AMENDMENT

19 CSR 20-28.040 Day Care Immunization Rule. The department is amending sections (1), (2), and (4).

PURPOSE: This proposed amendment is to add varicella vaccine to the list of required vaccines for attendance.

(1) As mandated by section 210.003, RSMo, the administrator of each public, private or parochial day care center, preschool or nursery school caring for ten (10) or more children shall have a record prepared showing the immunization status of every child enrolled in or attending a facility under the administrator's jurisdiction. The administrator shall also make an annual summary report to the Department of Health on form Imm.P. 32 no later than January 15. Immunization information is required in *[nine (9)] ten (10)* categories: diphtheria, tetanus, pertussis (DTaP); polio; hepatitis B (HB); *Haemophilus influenzae* type b (Hib); measles, mumps, *[and]* rubella (MMR); **and varicella (VZV)**.

(2) No child shall enroll in or attend a public, private or parochial day care center, preschool or nursery school caring for ten (10) or more children unless the child has been adequately immunized according to this rule. Children attending elementary school who receive before, after school care, or both, shall meet the immunization requirements established in the School Immunization Rule, 19 CSR 20-28.010. Preschool-age children shall be immunized against diphtheria, tetanus, pertussis, polio, hepatitis B, *Haemophilus influenzae* type b, measles, mumps, *[and]* rubella, **and varicella** according to the latest Recommended Childhood Immunization Schedule—United States, approved by the Advisory Committee on Immunization Practices (ACIP). As the schedule is updated, it will be available from and distributed by the Department of Health.

(4) The parent or guardian shall furnish the day care administrator satisfactory evidence of completion of the required immunizations, exemption from immunization, or progress toward completing all required immunizations against diphtheria, tetanus, pertussis, polio, hepatitis B, *Haemophilus influenzae* type b, measles, mumps, *[and]* rubella, **and varicella**. Satisfactory evidence of immunization means a statement, certificate or record from a physician or other recognized health facility stating that the required immunizations have been given to the person and verifying type of vaccine and the dates, including the month, day and year of each immunization. **However, if a child has had varicella (chickenpox) disease, the parent, the guardian, a licensed doctor of medicine or doctor of osteopathy may sign and place on file with the day care administrator a written statement documenting previous varicella (chickenpox) disease. The statement may contain wording such as: "This is to verify that (name of child) had varicella (chickenpox) disease on or about (date) and does not need varicella vaccine."**

AUTHORITY: sections 192.006[, RSMo Supp. 1999] and 210.003, RSMo [1994] 2000. Emergency rule filed Aug. 1, 1995, effective Aug. 11, 1995, expired Dec. 8, 1995. Original rule filed April 17, 1995, effective Nov. 30, 1995. Emergency amendment filed June 14, 2000, effective June 24, 2000, expires Feb. 22, 2001. Amended: Filed June 14, 2000, effective Nov. 30, 2000. Amended: Filed Jan. 3, 2001.

PUBLIC COST: This proposed amendment is estimated to cost the Department of Health \$44,569 total aggregate costs annually. A fiscal note containing a detailed estimated cost of compliance has been filed with the secretary of state.

PRIVATE COST: This proposed amendment is estimated to cost child care facilities \$399,100 total aggregate costs annually. A fiscal note containing a detailed estimated cost of compliance has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Pamela Rice Walker, Director, Division of Environmental Health and Communicable Disease Prevention, PO Box 570, Jefferson City, MO 65102, phone (573) 751-6080. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 19 - Department of Health

Division: 20 - Division of Environmental Health and Communicable Disease Prevention

Chapter: 28 - Immunization

Type of Rule Making: Proposed Amendment

Rule Number and Name: 19 CSR 20-28.040 Day Care Immunization Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Missouri Department of Health	\$44,569 annually

III. WORKSHEET

The estimate in the aggregate was calculated as follows:

Salaries

5% of salaries for nine District Health Program Representatives	\$17,062
25% of salary for one Health Program Representative	\$ 9,008
25% of salary for one Clerk Typist	<u>\$ 5,323</u>
TOTAL SALARIES	\$31,393
FRINGE BENEFIT @ 27%	<u>\$ 8,476</u>

TOTAL	\$39,869
-------	----------

Office Expenses

Printing costs for survey packet	\$ 4,700
----------------------------------	----------

TOTAL ANNUAL COSTS	\$44,569
--------------------	----------

IV. ASSUMPTIONS

One Health Program Representative will function as coordinator for the program. The Clerk Typist will provide clerical assistance, including data entry. Nine District Health Program Representatives will conduct validation surveys in a small number of facilities on a biennial basis. Each of these staff will provide technical assistance to day care staff and health care providers, addressing the immunization schedule and requirements for attendance.

For the purposes of this fiscal note, costs were calculated based upon the amount of time staff would dedicate to day care activities: 25% of salaries for one Health Program Representative and one Clerk Typist, and 5% of salaries for nine District Health Program Representatives.

Printing costs for materials were included at the rate of \$4,700. The total annual cost to the Department of Health is \$44,569.

**FISCAL NOTE
PRIVATE ENTITY COST****I. RULE NUMBER**

Title: 19 -- Department of Health

Division: 20 -- Division of Environmental Health and Communicable Disease Prevention

Chapter: 28 -- Immunization

Type of Rule Making: Proposed Amendment

Rule Number and Name: 19 CSR 20-28.040 Day Care Immunization Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
6,000	Day Care Facilities	\$399,100 annually

III. WORKSHEET

The estimate in the aggregate was calculated as follows:

Day care staff time involved in the review of children's immunization records was estimated to be approximately 30 minutes per child. An additional 4 hours was estimated to be required to complete the annual survey form at each facility. The staff salary was estimated at an average of \$5.15 per hour.

IV. ASSUMPTIONS

For the purposes of this fiscal note, the following costs to day care facilities were calculated:

Approximately 100,000 children attend day care in the 6,000 facilities in the state. It is estimated that approximately 30 minutes of staff time is required to review each of the children's records. At the estimated average salary of \$5.15 per hour, the cost to facilities is \$275,500.

In addition, an estimate of 4 hours of staff time is required to complete the immunization survey form. Using the average salary of \$5.15 per hour, the cost to facilities is \$123,600.

The total annual cost to day care facilities is approximately \$399,100.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 35—Hospices**

PROPOSED RESCISSION

19 CSR 30-35.010 Hospice Program Operations. This rule defined the minimum requirements for the provision of hospice services by state certified hospice programs.

PURPOSE: This rule is being rescinded because extensive changes to its content and format require promulgation of a new rule.

AUTHORITY: section 197.250, RSMo 1994. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded: Filed Jan. 3, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Lois Kollmeyer, Director, Division of Health Standards and Licensure, PO Box 570, Jefferson City, MO 65102-0570, phone (573) 751-6336. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 35—Hospices**

PROPOSED RULE

19 CSR 30-35.010 Hospice Program Operations

PURPOSE: This rule defines the minimum requirements for the provision of hospice services by state certified hospice programs.

(1) General Provisions.

(A) Definitions Relating to Hospice Care Agencies.

1. Hospice administrator—the employee designated by the governing body as responsible for the overall functioning of the hospice.

2. Attending physician—a person who—

A. Is licensed as a doctor of medicine or osteopathy in this state or a bordering state; and

B. Is identified by the patient, at the time s/he elects to receive hospice care, as having the most significant role in the determination and delivery of the patient's medical care.

3. Contracted provider—individuals or entities who furnish services to hospice patients under contractual arrangements between the hospice and the contracted provider.

4. Coordinating provider—any individual or agency which independently provides services to the patient in their place of residence.

5. Dietary counselor—an individual that is currently eligible to be licensed as a dietitian in Missouri or recognized as a nutritionist.

6. Direct employee—an individual paid directly by the hospice.

7. Employee—an employee of the hospice or an individual under contract who is appropriately trained and assigned to the

hospice program. Employee also refers to a person volunteering for the hospice program.

8. Family—broadly defined to include not only persons bound by biology or legalities but also those who function for the patient in a familial way.

9. Homemaker—a home health aide, volunteer or other individual who assists the patient/family with light housekeeping chores.

10. Home health aide—a person who meets the training, attitude, and skill requirements specified in the Medicare home health program (42 CFR 484.36).

11. Hospice—a public agency or private organization or subdivision of either that:

A. Is primarily engaged in providing care to dying persons and their families; and

B. Meets the standards specified in 19 CSR 30-35.010 and in 19 CSR 30-35.030. If it is a hospice that provides inpatient care directly in a hospice facility, it must also meet the standards of 19 CSR 30-35.020.

12. Hospice patient—a person with a terminal illness or condition for whom the focus of care is on comfort and palliation rather than cure.

13. Licensed practical nurse—a person licensed under Chapter 335, RSMo to engage in the practice of practical nursing.

14. Meal preparation—meals planned, offered or served to all patients from prepared menus.

15. Medical director—a person licensed in this state or a bordering state as a doctor of medicine or osteopathy who assumes overall responsibility for the medical component of the hospice's patient care program.

16. Nutritionist—a person who has graduated from an accredited four-year college with a bachelor's degree including or supplemented by at least 15 semester hours in food and nutrition including at least one course in diet therapy.

17. Occupational therapist—a person who is registered under Chapter 334, RSMo as an occupational therapist and licensed to practice in Missouri.

18. Occupational therapy assistant—a person who has graduated from an occupational therapy assistant program accredited by the Accreditation Council for Occupational Therapy Education and licensed to practice in Missouri.

19. Registered nurse—a person licensed under Chapter 335, RSMo to engage in the practice of professional nursing.

20. Registered nurse coordinator—a registered nurse, who is a direct employee, designated by the hospice to direct the overall provisions of clinical services.

21. Pharmacist—a person licensed as a pharmacist under Chapter 338, RSMo.

22. Physician—a physician as defined in subparagraph (1)(A)2.A. of this rule.

23. Physical therapist—a person who is licensed as a physical therapist under Chapter 334, RSMo.

24. Physical therapy assistant—a person who has graduated from at least a two-year college level program accredited by the American Physical Therapy Association and licensed to practice in Missouri.

25. Legal representative—a person who because of the patient's mental or physical incapacity is legally authorized in accordance with state law to act on behalf of the dying person.

26. Satellite/branch office—a location or site from which a hospice provides services within a portion of the total geographic area served by the parent hospice and the area served by the satellite/branch office is contiguous to or part of the area served by the parent hospice.

27. Skilled nursing—those services which are required by law to be provided by a registered nurse or a licensed practical nurse.

28. Snack—a single meal or item prepared on demand which does not include food items that produce grease-laden vapors.

29. Social worker—a person who has at least a bachelor's degree in social work from a school of social work accredited by the Council on Social Work Education.

30. Speech language pathologist—a person who is licensed under Chapter 345, RSMo as a speech therapist.

31. Spiritual counselor—a person who is ordained according to the practices of an organized faith group as a pastor, priest, rabbi, minister or one who is eligible for membership in the Association of Professional Chaplains.

32. Standing order—An order by an authorized prescriber that can be implemented by other health care professionals when predetermined criteria are met as per 19 CSR 30-35.010(2)(E)3.-(2)(E)4.A., B. and C.

(B) Eligibility Requirements. A hospice shall have written admission criteria including the hospice's policies regarding palliative care (that includes treatment modalities such as chemotherapy or radiation).

(C) Consent for Hospice Care.

1. A patient who wishes to receive hospice care, shall sign a consent form for hospice services.

2. The consent form shall include the following:

A. Identification of the particular hospice that will provide care to the patient;

B. The patient's or representative's acknowledgment that s/he has been advised and has an understanding of the palliative nature of hospice care as it relates to the patient's terminal illness;

C. The specific type of care and services that may be provided as hospice care during the course of the illness.

(D) Discontinuance of Hospice Care.

1. A patient or legal representative may discontinue the patient's hospice care at any time.

2. If a patient transfers to another provider, including another hospice provider, the hospice transferring care shall provide to the receiving provider pertinent written information which shall include at a minimum:

A. Current medication profile;

B. Advance directive (if applicable); and

C. Problems that require intervention or follow-up.

3. The hospice shall have written policies for hospice patient discharge which identify specific circumstances in which the patient is discharged.

A. The hospice shall immediately notify the patient or representative and shall include the date that the discontinuance is effective.

B. Patient's/family's continuing care needs, if any, are assessed at discharge, and the patient/family are referred to appropriate resources.

4. The physician shall be notified in all instances of discontinuance of hospice care and such notification shall be documented in the patient record.

(E) General Provisions.

1. A hospice shall maintain compliance with the standards in 19 CSR 30-35.010 and in 19 CSR 30-35.030. A hospice that operates a facility for hospice care shall also maintain compliance with 19 CSR 30-35.020.

2. A hospice shall be primarily engaged in providing the care and services described in 19 CSR 30-35.010 and in 19 CSR 30-35.020 of this rule, and shall:

A. Provide 24-hour nursing coverage for telephone consultation and visits as needed;

B. Assure all other services that are reasonable and necessary for the palliation and management of terminal illness and related conditions are available on a 24-hour basis;

C. Provide bereavement counseling; and

D. Assure services are provided in a manner consistent with accepted standards of practice in accordance with local, state, and federal law.

3. The hospice shall conduct criminal background checks in accordance with state law.

4. The hospice shall adhere to state and federal law relating to advance directives.

(F) Patient Rights. The hospice shall have a written statement of patient rights which shall include, but need not be limited to, those specified herein.

1. Each patient of a hospice program shall be informed in writing of his/her rights as recipients of hospice services.

2. The hospice shall document that it has informed patients of their rights in writing and shall protect and promote the exercise of these rights.

3. The patient's family, representative or guardian may exercise the patient's rights when all reasonable efforts to communicate with the patient have failed. These rights shall include:

A. The patient and family's right for respect of property and person;

B. The right to voice grievances regarding treatment or care that is, or fails to be, furnished or regarding lack of respect of property by anyone who is furnishing services on behalf of the hospice and the patient/family shall not be subjected to discrimination or reprisal for doing so;

C. The right to be informed about his/her care alternatives available from the hospice and payment resources;

D. The right to participate in the development of the plan of care and planning changes in the care;

E. The right to be informed in advance about the care to be furnished;

F. The right to be informed in advance of the disciplines that will furnish care and the frequency of visits proposed to be furnished;

G. The right to be informed in advance of any change in the plan of care before the change is made;

H. The right to confidentiality of the clinical records maintained by the hospice and to be informed of the hospice's policy for disclosure of clinical records;

I. The right to be informed in writing of the extent to which payment may be required from the patient and any changes in liability within 30 days of the hospice becoming aware of the new amount of the liability; and

J. The right to access the Missouri home health and hospice toll-free hotline and to be informed of its telephone number, the hours of operations and its purpose for the receipt of complaints and questions regarding hospice services.

(G) Code of Ethics.

1. A hospice shall develop a written code of ethics and have a process for reviewing ethical issues.

(H) 24-Hour Response.

1. The hospice shall have written policies and procedures defining access to all services, medications, equipment and supplies during regular business hours, after hours and in emergency situations including a plan for prompt telephone response.

2. Unscheduled non-emergent nursing visits when indicated should normally occur within three hours from the time the need is identified or as agreed upon by the hospice and patient.

3. When clinically indicated, emergent visits shall be made within one hour from the time the need is identified.

(I) Infection Control. The hospice shall identify person(s) responsible for implementing and monitoring an infection control program.

1. The infection control program shall include a system for periodic review and update of infection control policies and procedures, a monitoring of practices and potential exposure to infection and of employee health and compliance with policies and procedures.

2. The infection control policies and procedures shall conform with accepted standards of practice and address personal

hygiene, aseptic and isolation techniques, waste disposal, and supply and medication storage.

(J) Safety and Emergency Preparedness.

1. The hospice shall have safety and emergency preparedness plans that conform with federal, state and local requirements. Such plans shall include:

A. A plan for reporting, monitoring and following up on all accidents, injuries and safety hazards;

B. Documentation of monitoring activity and follow-up actions; and

C. A safe and sanitary system for identifying, handling and disposing of hazardous wastes.

D. The emergency preparedness plan shall be rehearsed at least annually.

(K) Satellite/Branch Offices.

1. If the hospice represents to the public that they have a satellite/branch office, there shall be:

A. A designated interdisciplinary group with documented group meetings;

B. On-site maintenance of current active patient records; and

C. Telephone reception during normal business hours.

2. The satellite office must be located within 100 miles of the parent office.

3. The standard of care and clinical services shall be the same out of the satellite/branch office as the parent office.

(2) Administration.

(A) Governing Body.

1. A hospice shall have a governing body that assumes full legal responsibility for the hospice's total operation.

2. The governing body shall meet, at a minimum, once a year.

3. The governing body shall designate an administrator.

(B) Administrator Provisions.

1. The administrator organizes and directs the agency's ongoing functions; maintains ongoing liaison among the governing body, the interdisciplinary group(s) and the staff; employs qualified personnel; implements an effective budgeting and accounting system; and enforces written policies and procedures.

2. A person shall be authorized to act in the absence of hospice administrator.

3. A registered nurse coordinator shall be designated to direct the overall provisions of clinical services.

(C) Contracted Services.

1. A hospice may arrange for another individual or entity to furnish services to the hospice's patients except as otherwise provided in these regulations. If services are provided under contract, the hospice shall meet the following standards:

A. Assure the continuity of patient/family care in home, outpatient and inpatient settings;

B. Have a written agreement for the provision of contracted services. The agreement shall include the following:

(I) Identification of the services to be provided in accordance with the plan of care;

(II) The manner in which services are coordinated by the hospice to maintain hospice professional management responsibility;

(III) Delineation of the role(s) of the hospice and the contracted services;

(IV) Assurance that the contracted provider shall be appropriately licensed;

(V) Provision for transfer and updating the plan of care on inpatient admission (if applicable).

2. Such contracts shall not relieve the hospice of the primary responsibility for ensuring patient care or otherwise complying with these regulations.

(D) Plan of Care.

1. A written plan of care must be established for each patient by the interdisciplinary group with the attending physician involvement.

2. The plan shall be established within seven days of admission.

3. The care provided to a patient shall be in accordance with the plan.

4. The plan shall include:

A. Identification of the patient's/family's problems and needs;

B. The scope and frequency of services needed to meet the patient's and family's needs and by whom the services will be provided, prescribed and required medical equipment, supplies, medications, treatments and the level of care;

C. Realistic and achievable goals; and

D. All physician orders.

5. The plan shall be reviewed and updated by the interdisciplinary group at a minimum of every two weeks. These reviews shall be documented in the patient record.

6. Documentation on the plan of care shall reflect the changing needs of the patient/family and the services required to meet those needs.

(E) Authorized Prescriber's Orders.

1. Medications, treatments and procedures shall be administered only with an order by an authorized prescriber.

2. Written orders shall be dated and signed at the time of writing.

3. Oral orders, including authorization to use a standing order, shall be received only by persons authorized within their scope of practice, immediately reduced to writing, signed and dated by the person receiving the order and signed and dated by the prescriber within 30 days.

4. A standing order may be used as part of the plan of care if the following guidelines are met:

A. Standing orders shall be in compliance with all applicable state statutes and regulations and shall:

(I) Include the purpose or conditions under which a standing order will be implemented;

(II) Be drug, treatment or procedure specific and not allow for non-prescriber's choice;

(III) Be individualized, signed and dated by the prescriber and included in the patient's record;

B. Agency policy shall define the time frame for authorized prescriber notification when a standing order has been implemented; and

C. Standing order content shall be reviewed and approved by the medical director at least annually.

(F) Interdisciplinary Group.

1. The hospice shall designate an interdisciplinary group or groups composed of qualified individuals who provide or supervise the care and services offered by the hospice. The interdisciplinary group shall meet no less often than every two weeks.

2. The interdisciplinary group shall include at least the following individuals who are employees of the hospice:

A. A doctor of medicine or osteopathy (may be contracted);

B. A registered nurse;

C. A social worker; and

D. A spiritual counselor.

3. The interdisciplinary group shall be responsible for:

A. Participation in the establishment, review and updates of the plan of care;

B. Provision or coordination of hospice care and services; and

C. Making recommendations regarding policies governing the day-to-day provision of hospice care and services.

(G) Clinical Services. The hospice shall routinely provide through direct employees the following services:

1. Nursing services.

A. Services shall be provided in accordance with recognized standards of practice.

B. Nursing services shall be staffed to assure that the nursing needs of patients are met.

C. The assessment, planning and provision of nursing services shall be the responsibility of the registered nurse.

D. When nursing services are delegated to a licensed practical nurse:

(I) The licensed practical nurse shall be supervised by a registered nurse who is available to the licensed practical nurse at least by phone during the hours that the licensed practical nurse is providing services or is on call; and

(II) The registered nurse shall make at least monthly on-site visits and document that the licensed practical nurse is routinely providing nursing services in accordance with the plan of care.

E. The registered nurse shall develop a written aide assignment based upon the patient's/family's needs when home health aide services are provided.

F. When aide services are being provided, a hospice registered nurse shall visit the home at least every two weeks. The visit shall include an assessment of the aide services.

G. Written documentation shall show that the aide is providing services in accordance with the plan of care.

H. When an aide is permanently assigned to a hospice facility, the every two-week supervisory requirement does not apply, however there must be evidence of an annual performance review in the aide's personnel file.

2. Medical director services. The medical director shall be a direct or contract employee. The medical director's or designee's services and responsibilities include:

A. Consulting with attending physicians regarding pain and symptom control;

B. Reviewing patient appropriateness for hospice services;

C. Acting as medical resource for the interdisciplinary group;

D. Acting as liaison to physicians in the community;

E. Assuring medical services are provided in the event the medical needs of the patient are not met by the attending physician; and

F. Routinely attending the interdisciplinary group meetings.

3. Medical social services.

A. Medical social services shall be provided in accordance with recognized standards of practice.

B. Social services shall be staffed to assure that the medical social service needs of patients are met.

C. The assessment, planning and provision of medical social services shall be the responsibility of the social worker.

D. The social services assessment visit shall be completed within seven days of admission or sooner if indicated.

4. Spiritual care services.

A. Spiritual care shall be available to all patients and families.

B. The spiritual counselor is responsible for assuring there is a documented assessment of the spiritual needs of the patient and family within seven days of admission and that spiritual care provided reflects assessed needs.

C. The spiritual assessment shall include, at a minimum:

(I) The identification of any religious affiliation the patient and family may have; and

(II) The nature and scope of any spiritual concerns or needs identified.

D. A visit by the spiritual counselor shall be offered to each patient. If the patient declines spiritual counselor visits, the spiritual counselor will serve as a resource for other interdisciplinary team members assessing spiritual needs and providing care,

and will be available to coordinate with other spiritual care providers the patient/family may have identified.

5. Bereavement care services.

A. There shall be an organized program for the provision of bereavement services under the supervision of a qualified professional who is a person with training or experience related to death, dying and bereavement.

B. Within two months following the patient's death, there shall be an assessment of risk of the bereaved individual and a plan of care that extends for one year appropriate to the level of risk assessed.

C. In addition to the assessment, at least one bereavement visit (other than funeral attendance/visitation) shall occur within six months after the death of the patient.

6. Other clinical services. The hospice shall provide the following services directly by hospice employees or through a contracted provider. The assessment, planning and provision of these services shall be the responsibility of the applicable licensed or registered clinician.

A. Dietary counseling, when required, shall be planned by a qualified dietary counselor.

B. Physical therapy services, occupational therapy services, and speech language pathology services shall be offered in a manner consistent with accepted standards of practice.

(I) Therapy services delegated to the physical therapy assistant or the occupational therapy assistant shall be supervised by a licensed physical therapist or registered occupational therapist as appropriate who is available to the physical therapy assistant or occupational therapy assistant at least by phone during the hours that s/he is providing services.

(II) When the assistant is providing services to a patient, the licensed or registered therapist shall make a supervisory visit to the residence of the patient at least every 30 days.

(III) Written documentation shall show that the assistant is providing therapy services in accordance with the plan of care.

C. Additional counseling services. Any additional counseling services provided by the hospice shall be provided by qualified personnel, coordinated with all hospice services, included in the plan of care and documented in the clinical record.

D. Waiver.

(I) These requirements shall be waived by the Department of Health for areas of the state in which no licensed therapists/dietitians/nutritionists are available provided a good faith effort to provide the service is being made.

(II) A hospice seeking this waiver shall submit a written request to the department along with evidence of efforts made by the hospice to provide the service. If approved, a request for waiver shall be resubmitted annually for review.

7. Home health aide and homemaker services. Home health aide and homemaker services shall be available to meet the needs of the patients.

A. If homemaker needs are identified, a member of the interdisciplinary group shall assign and coordinate the services.

B. Home health aide services must be provided by a qualified person as set forth in 19 CSR 30-35.010(1)(A)10.

C. A home health aide is not considered to have completed a training and competency program, or a competency evaluation program if, since the individual's most recent completion of such program(s), there has been a continuous period of 24 consecutive months during none of which the individual furnished services described in 42 CFR 409.40 for compensation.

D. The home health aide shall follow written instructions for patient care which are prepared by a registered nurse and document care provided. Duties include, but shall not be limited to, the duties specified in the regulations pertaining to the Medicare home health aide (42 CFR 484.36).

E. 12 hours of in-service per aide per 12-month period shall be provided or assured by the hospice. The hospice shall maintain a record of in-service provided.

(H) Medications. The hospice shall develop policies and procedures for the safe and effective use of medications, in accordance with accepted professional standards and applicable laws and regulations.

1. A medication list shall be maintained for each patient.

2. Medication orders shall include the medication name, dose, frequency and route of administration.

3. Orders with variable doses or frequencies shall specify a maximum dose or frequency and the reason for administration.

4. Medications shall be provided on a timely basis and medication services shall be available on a 24-hour basis for emergencies.

5. When controlled substance medications are delivered to the patient's residence by hospice staff, the date, patient name, medication name and strength, quantity indicated on the prescription container, and signatures of the hospice staff member and the receiver shall be documented.

6. The hospice shall identify and document any misuse of controlled substances and shall notify the prescriber.

7. Medication use shall be reviewed with the patient, family or both and medication information, counseling and education shall be provided when appropriate.

8. Current medication reference material shall be available to professional staff for all medications used.

9. Medications shall be administered by persons who have statutory authorization, the patient, or a family member.

10. Administration by the patient or by a family member shall be evaluated for appropriateness and ability and this evaluation documented by the nurse.

11. Medication incidents, including medication errors and adverse medication reactions, shall be reported to the prescriber, the registered nurse coordinator and the pharmacist.

12. The hospice must have a policy for the disposal of controlled substances maintained in the patient's home when those medications are no longer needed by the patient. The policy shall include at a minimum, information shared with family regarding disposition of medications when no longer required.

13. Medications shall not be transferred to other patients and shall not be removed from the residence by hospice staff.

(I) Medical Supplies and Equipment.

1. The provision of medical supplies and equipment shall be coordinated as needed for the palliation and management of the terminal illness and related conditions. Hospices shall make every effort to assure that patient needs for medical supplies and equipment are met.

2. Hospice shall provide education for patient/family, employees and volunteers on the safe use of medical equipment.

3. Hospice shall provide evidence that all hospice-owned patient care related equipment has been inspected and maintained on an annual basis and in accordance with manufacturers specifications.

4. Hospice shall have policies and procedures for cleaning, storing, accessing and distributing hospice-owned equipment.

5. Supplies shall be stored and maintained in a clean and proper manner.

(J) Volunteers.

1. Each hospice shall document and maintain a volunteer staff sufficient to provide administrative and direct patient care hours in an amount that, at a minimum, equals five percent of the total patient care hours of all paid hospice employees and contract staff. The hospice shall document a continuing level of volunteer activity.

2. Care and services through the use of volunteers, including the type of services and the time worked, shall be recorded.

3. The hospice shall document initial screening and active and ongoing efforts to recruit and retain volunteers.

4. The hospice shall provide task-appropriate orientation and training consistent with acceptable standards of hospice practice, that includes at a minimum:

A. Hospice philosophy, goals and services;

B. The volunteer role in hospice;

C. Confidentiality;

D. Instruction in the volunteer's particular duties and responsibilities;

E. Whom to contact if in need of assistance or instruction regarding the performance of their specific duties and responsibilities; and

F. Documentation and record keeping as related to the volunteer's duties.

5. The hospice shall, in addition, provide orientation for patient care volunteers that includes at a minimum:

A. Concepts of death and dying;

B. Communication skills;

C. Care and comfort measures;

D. Psychosocial and spiritual issues related to death and dying;

E. The concept of hospice patient and family as the unit of care;

F. Procedures to be followed in an emergency or following the death of the patient;

G. Concepts of grief and loss;

H. Universal precautions;

I. Safety;

J. Patient/family rights; and

K. Hospice and the nursing home.

6. The hospice shall document orientation and ongoing inservices.

7. Volunteers functioning in accordance with professional practice acts must show evidence of current professional standing and licensure, if applicable.

(K) Central Clinical Records.

1. In accordance with accepted principles of practice, the hospice shall establish and maintain a clinical record for every patient receiving care and services.

2. The record shall be complete, legible, readily accessible and systematically organized to facilitate retrieval. Documentation shall be prompt and accurate.

3. Each clinical record shall be a comprehensive compilation of information. Entries shall be made for all services provided.

4. Entries shall be made and signed by the person providing the services.

5. The record shall include all services whether furnished directly or through contracted providers. Each clinical record shall contain:

A. Physician's orders;

B. Complete documentation of all assessments, services and events including:

(I) The physical condition of the patient;

(II) The psychosocial status of the patient/family;

(III) The spiritual status of the patient/family; and

(IV) Potential bereavement complications;

C. The plan of care;

D. Identification data;

E. Consent form;

F. Pertinent medical history;

G. Determination of financial responsibility; and

H. Documentation of communication with coordinating providers.

6. The hospice shall safeguard the clinical record against loss, destruction and unauthorized use.

(L) Facility Resident.

1. When the hospice patient resides in a nursing facility, the hospice collaborates with the nursing facility providing care to the patient/family to ensure coordination of services.

2. Collaboration activities shall include the following:

A. There shall be a coordinated single plan of care in the nursing facility which may be multiple documents, that:

(I) Reflects coordination and input from both the hospice and the nursing facility;

(II) Identifies the care and services which each shall provide; and

(III) Is updated to reflect changes in patient/family condition, needs and care.

B. Services usually identified as hospice services shall remain the responsibility of the hospice, and are provided or arranged by the hospice to meet the needs of the patient at the same level that the hospice normally furnishes to patients in their homes.

C. A registered nurse is designated from the hospice to coordinate the implementation of the plan of care, and to respond to questions and concerns from the nursing facility.

D. The hospice shall provide education to nursing facility staff that includes at a minimum:

(I) The purpose and nature of hospice care;

(II) Services provided by the hospice;

(III) Care plan coordination;

(IV) When and how to contact hospice staff.

3. The hospice shall document education provided and/or education offered and declined by the nursing home.

4. The hospice shall enter into arrangements only with nursing facilities which are appropriately licensed.

(M) Employee Training and Orientation.

1. Each hospice shall provide initial orientation for each direct employee that is specific to the employee's job duties.

A. All employees shall be oriented to:

(I) Hospice philosophy, goals and services;

(II) Confidentiality;

(III) Specific job duties;

(IV) Hospice policies and procedures as appropriate to the position.

B. Patient care employees shall also be oriented to:

(I) Interdisciplinary group function and responsibility;

(II) Communication skills;

(III) Physical, psychosocial and spiritual assessment;

(IV) Plan of care;

(V) Symptom management;

(VI) Universal precautions;

(VII) Patient/family safety issues;

(VIII) Patient/family rights;

(IX) Documentation;

(X) Concepts of grief and loss;

(XI) Facility resident care; and

(XII) Levels of hospice care.

C. Ongoing in-service training shall include a broad range of topics that reflect identified educational needs.

D. The hospice shall document initial orientation and in-service topics presented.

2. Volunteers are exempt from these provisions as their orientation and in-service requirements are defined in 19 CSR 30-35.010(2)(J)4., 5. and 6.

3. Contract personnel shall receive orientation to confidentiality, hospice philosophy, and to their specific job duties.

(N) Performance Improvement.

1. The hospice shall follow a written plan for assessing and improving program operations which includes:

A. Goals and objectives;

B. The identity of the person responsible for the program;

and

C. A method for resolving identified problems.

2. The plan and performance improvement activities shall be reviewed at least annually by a designated group and the governing body and revised as appropriate.

3. When problems are identified in the provision of hospice services, the hospice shall document any evidence of corrective actions taken, including ongoing monitoring, revisions of policies and procedures, educational intervention, and changes in the provision of services.

4. The effectiveness of actions taken to improve services or correct identified problems shall be evaluated.

5. A designated group shall review and document the performance improvement activities and monitor corrective actions.

AUTHORITY: section 197.270, RSMo 2000. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded and readopted: Filed Jan. 3, 2001.

PUBLIC COST: The proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: The private entity cost for this proposed rule is estimated at \$33,008,010 annually in the aggregate. A fiscal note containing a detailed estimate of cost of compliance has been filed with the Secretary of State's Office.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or opposition to this proposed rule with Lois Kollmeyer, Director, Division of Health Standards and Licensure, Department of Health, PO Box 570, Jefferson City, MO 65102, (573) 751-6336. To be considered, comments shall be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: Title 19 - Department of Health

Division: Division 30 - Division of Health Standards and Licensure

Chapter: Chapter 35 - Hospices

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-35.010 Hospice Program Operations

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
70	Hospices	\$33,008,010 annually

III. WORKSHEET

The estimate equals the total amount of annual cost of \$471,543 per individual hospice. The aggregate is based upon annual fiscal costs times the 70 hospices effected \$33,008,010 annually.

1. .50 hour Medical Director time/patient admission.
2. This could be clerical/receptionist annual salary or could be done by volunteer.
3. Estimate 6% coordinated RN Coordinator salary for infection control activities.
4. Estimate safety/emergency preparedness 3% RN Coordinator salary.
5. Establishment of a branch is optional. Estimate of rent of office space/utilities/misc./telephone receptionist.
6. Medical Director time estimated at 18 hours/month at \$100/hour or Medical Director could be volunteer.
7. On call estimate 1.50/hour at a estimated 16 hour/day and flat rate \$28.00/weekend day-\$170/per week x 52 weeks - \$8,840 annual.
8. Estimate 10% of hospice administrator salary for securing written agreements plus \$100 additional miscellaneous expense of written agreement development with minimum 1-DME, 1-Pharmacy, 1-Acute, 1-Respite, 1-Nursing Facility, 1-Therapy agreements (\$600 total).
9. Estimate establishment of Plan of Care requires RN Coordinator home visit of 3 hours plus team time of 1/hour RN, 1/hour SW, and .25/hour Medical Director at a minimum of \$193/patient times 36 patient admissions/calendar year.
10. The IDG reviews each patient every 2 weeks-minimum staff present usually represent RN, SW, MD, Chaplain-estimate 1/4 hour/review - \$35/patient times 26 reviews - \$263/patient/year.
11. Estimate 8% RN Coordinator time used for orientation and inservice - \$2,560 plus \$3,000/new employee for orientation - 5 new employees first year \$15,000 plus \$1000 per employee per year inservice for a total of \$5,000. This includes home health aide competency testing and inservices.

12. Estimate 10% RN Coordinator time used for Quality Improvement program.
13. Estimate Medical Director 18/hours/month - 216/hours/year - \$21,600. 60% FTE RN coordinated time \$19,200, FTE SW \$24,960, 1/2 time chaplain \$15,080.
14. Estimate .5 FTE volunteer coordinator \$7,500 plus \$2,000 additional training costs.
15. Estimate that in addition to the nurse coordinator an additional RN FTE would be needed for 36 patients. The RN Coordinator's salary is included.
16. Dietary counseling is used only periodically. Estimate 100/hours/year at \$23.00/hour for salary.
17. For a hospice with 36 patients usually the social worker or chaplain would coordinate the bereavement program. Salaries for social worker and chaplain are already quoted under the interdisciplinary group costs. Additional bereavement program costs are estimated at \$1,192/year.
18. Therapy service are used according to individual patient need under the plan of care. Estimate 2 therapy visits/patient; 72 visits at 45.00/visit.
19. 1 FTE aide at 15,000/year and one FTE homemaker at 10,000.
20. Estimate of 6.00/patient day for cost of medical supplies. (36 patients times average length of stay of 62 day times 6.00 per day)
21. Estimate of 10.00/patient day for cost of medications. (36 patient times 62 days times 10.00 day)
22. Estimate 8% of RN Coordinator salary for coordination with other providers.

IV. ASSUMPTIONS

This rule defines the requirements of the state certified hospice programs. The assumption is made that any other costs that may have occurred or may occur are unforeseeable or unquantifiable.

NOTE: The private entities are currently incurring costs under the existing rules. The existing rules are being rescinded and replaced with these proposed rules.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 35—Hospices**

PROPOSED RESCISSION

19 CSR 30-35.020 Hospices Providing Direct Care in a Hospice Facility. This rule defined the minimum requirements necessary for the construction and operation of hospice inpatient facilities in order to be certified as part of the hospice program.

PURPOSE: This rule is being rescinded because extensive changes to its content and format require promulgation of a new rule.

AUTHORITY: section 197.250, RSMo 1994. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded: Filed Jan. 3, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Lois Kollmeyer, Director, Division of Health Standards and Licensure, PO Box 570, Jefferson City, MO 65102-0570, phone (573) 751-6336. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 35—Hospices**

PROPOSED RULE

19 CSR 30-35.020 Hospice Providing Direct Care in a Hospice Facility

PURPOSE: This rule defines the minimum requirements necessary for the construction and operation of hospice inpatient facilities in order to be certified as part of the hospice program.

(1) A hospice that delivers care in a facility operated by the hospice and not otherwise licensed shall comply with this rule in addition to 19 CSR 30-35.010 and 19 CSR 30-35.030.

(2) Each patient shall receive treatment, medications and diet as prescribed and shall be kept comfortable, clean, well-groomed and protected from accident, injury and infection.

(3) Organization and Management of Hospice Facilities.

(A) 24-Hour Staffing.

1. The hospice shall provide 24-hour staffing which is sufficient to meet the patients' total needs in accordance with the patient plan of care.

2. All hospices shall employ qualified staff at the ratio of no less than one for every ten (1:10) patients per shift, per patient unit, 24 hours a day.

3. Staffing personnel shall be on duty at all times on each patient-occupied floor, with no less than two staff personnel in a facility at all times.

4. Minimum staff personnel shall be no less qualified than one home health aide or companion/volunteer and one licensed practical nurse.

5. A registered nurse shall be available for telephone consultation or on-site visit as needed, 24 hours a day.

6. Facility personnel shall have a telephone access to administrative staff, 24 hours a day.

(B) Disaster Preparedness.

1. The hospice shall have a written plan, annually rehearsed with staff, which includes procedures to be followed in the event of an internal or external disaster and for the care of casualties arising from disasters.

2. Each facility shall conduct quarterly fire drills so that each shift participates at least annually.

(C) Meals Service Menu Planning and Supervision. The hospice shall:

1. Make available a practical freedom of choice diet offering at least three meals and snacks, or their equivalent, that accommodate patient's needs and preferences each day at regular times, with not more than 14 hours between a substantial evening meal and breakfast;

2. Prepare and serve foods using methods that conserve nutritive value, flavor and appearance;

3. Give special attention to the texture of food served to patients who have chewing difficulty;

4. Provide assurance that hot food is served hot and cold food is served cold;

5. Give a minimum of 30 minutes for eating meals. Patients who eat slowly or who need assistance shall be given as much time to eat as necessary;

6. Make tray service and dining room service attractive for patients and ensure that each patient receives appropriate table service;

7. Provide each patient who is served meals in bed or in a chair not within the dining area with either a table, an overbed table or an overbed tray of sturdy construction which is positioned so that the patient can eat comfortably;

8. Provide assistance upon tray delivery to all patients requiring assistance at mealtimes, whether it be preparation of the food items or actual feeding. Dining room supervision shall be provided during meals;

9. Establish an identification system to assure that each patient receives the diet as ordered;

10. Provide sufficient equipment and personnel trained in their duties to assure adequate preparation and serving of food if meals are prepared on-site;

11. Review menus for special prescribed diets and approve in writing by either a qualified dietitian, a registered nurse, or a physician;

12. Keep a current record of purchased food to show the kind and amount of food purchased each month, if meals are prepared on-site;

13. Plan menus for all diets at least two weeks in advance if meals are prepared on-site. If cycle menus are used, the cycle shall cover a minimum of three weeks and shall be different each day of the week;

14. Make fresh water readily accessible to all patients at all times;

15. Procure, store, prepare, distribute and serve all food under sanitary conditions;

16. Permit family to bring, prepare and serve food to their loved one; and

17. Permit staff to prepare a single patient snack upon request.

(D) Patient Areas.

1. The hospice shall design and equip areas for the comfort and privacy of each patient and family member.

2. The hospice shall have accommodations for family privacy after a patient's death that do not infringe on other patients' rights and decor which is homelike in design and function;

3. Patients shall be permitted to receive visitors, including small children, at any hour;

4. The facility shall have a policy regarding pets; and

5. Smoking may be permitted in the hospice consistent with the smoking policy of the facility. Smoking may be permitted in the patient's room and in designated smoking areas. Individual patients may be permitted to smoke in their rooms with the consent of any other patients occupying the room and with the permission of his/her attending physician. If a patient is confined to bed or classified as not being responsible, smoking is permitted only under the direct supervision of an authorized individual.

(E) Infection Control.

1. The hospice shall make disease-specific provision for isolating patients with infectious diseases.

2. Infectious waste management control.

A. Every inpatient hospice facility shall write an infectious waste management plan with an annual review identifying infectious waste generated on-site, the scope of the infectious waste program and policies and procedures to implement the infectious waste program. The plan shall include at the least the following: administrator's endorsement letter; introduction and purpose; objectives; phone number of responsible individuals; definition of those wastes handled by the facility; identification of responsible individuals; procedures for waste identification, segregation, containment, transport, treatment and disposal; emergency and contingency procedures and training; and educational procedures.

B. Infectious waste shall be segregated from other wastes at the point of generation and shall be placed in distinctive, clearly marked, leakproof containers or plastic bags appropriate for the characteristics of the infectious waste.

C. Containers for infectious waste shall be identified with the universal biological waste symbol. All packaging shall maintain its integrity during storage and transport. Infectious waste shall not be placed in a gravity disposal chute.

D. Pending disposal, infectious waste shall be stored separately from other wastes in a room limited to staff access.

E. When transported off the premises of the hospice, all infectious waste shall be packaged and transported as provided in sections 260.200-260.245, RSMo.

F. Hospices generating 100 kilograms or less of infectious waste per month must comply with section 260.203.10, RSMo.

3. Written policies and procedures shall define and describe the scope and conduct of laundry and linen services. There shall be a mechanism for the review and evaluation on an annual basis of the quality of laundry services.

4. Written policies and procedures shall define and describe the scope and conduct of on-site cleaning of dietary ware. There shall be a mechanism for the review and evaluation on an annual basis of the quality of dietary-ware sanitizing services provided.

(F) Pharmacy Services. The hospice shall comply with all provisions of 19 CSR 30-35.010 regarding medications.

1. The hospice shall employ or contract with a pharmacist.

A. The pharmacist shall assist in the development of policies and procedures for medication use, shall advise the hospice on all other matters pertaining to the use of medications, shall serve as a member of, or consultant to, the interdisciplinary team and shall provide medication information to professional staff as required.

B. Pharmacist shall be available on a 24-hour basis for emergencies.

2. Medication acquisition and labeling.

A. No stock supply of prescription medications shall be maintained except that each facility shall maintain an emergency medication kit and controlled substances may be maintained as stock.

B. When the emergency medication kit contains controlled substances the facility shall be registered with the Missouri Bureau of Narcotics and Dangerous Drugs.

C. When controlled substances are maintained in stock, the facility shall be registered with the Missouri Bureau of Narcotics and Dangerous Drugs and the Drug Enforcement Administration.

D. Patient prescription medications shall be labeled with at least the patient name, medication name, strength and date dispensed. They shall also contain accessory information and the expiration date when applicable.

E. Prescription medication labels shall not be altered by hospice staff and medications shall not be repackaged by hospice staff except as allowed by (3)(F)4.E.

F. When the patient's own medications are used, they shall be examined prior to use for suitability and positively identified by a pharmacist or nurse in writing.

G. Non-prescription medications may be obtained as stock or individual patient supplies. They shall not be repackaged, except as allowed by (3)(F)4.E., and supplies for individual patients shall be labeled with the patient's name.

3. Medication storage and control.

A. All medications shall be stored in locked compartments under proper temperature controls, separate from food and other substances, and accessible only to persons authorized to administer them.

B. Controlled substances shall be stored in locked compartments separate from other medications.

C. The pharmacist shall inspect medication storage areas and the emergency medication kit monthly and shall document this inspection.

D. Records of receipt and disposition of all controlled substances shall be maintained separate from other records.

(I) Inventories of Schedule II controlled substances shall be reconciled each shift.

(II) Inventories of Schedule III-V controlled substances shall be reconciled daily.

(III) Receipt records shall include the date, source of supply, patient name and prescription number when applicable, medication name and strength, quantity and signatures of the supplier and receiver.

(IV) Administration records shall include the date, time, patient name, medication name, dose administered and signature of the person administering.

(V) Documentation of waste at the time of administration shall also include the reason for the waste and the signature of an authorized employee witness.

E. The pharmacist shall review controlled substance record keeping monthly.

F. All variances of controlled substance records shall be reported to the registered nurse coordinator and the pharmacist for review and investigation.

G. All losses of controlled substances shall be reported to the Missouri Bureau of Narcotics and Dangerous Drugs and to other federal, state and local authorities when required.

H. All controlled substance records shall be maintained for two years.

4. Medication administration.

A. Medication administration by the patient or a family member shall be ordered by the physician. Instructions for administration shall be provided.

B. Non-controlled substances may be stored in a locked compartment in the patient's room.

C. Single doses of controlled substances may be placed in the locked compartment or provided directly to the patient or family member prior to the time of administration.

D. Administration of the patient's own medications brought to the facility shall be ordered by the authorized prescriber.

E. Medications for administration when a patient temporarily leaves the facility shall be labeled by the pharmacy with instructions for administration, except that a single dose of each medication may be provided by the nurse in containers labeled with the patient's name, medication name and strength, instructions for administration, and other necessary information.

F. Medication administration shall be documented on a separate record. Administration by the patient or a family member shall be monitored by nursing staff and documented.

5. Other medication disposition.

A. Medications may be sent with a patient at the time of discharge only if they have been labeled by the dispensing pharmacy with instructions for administration and ordered by the authorized prescriber.

B. Records of this disposition shall include the date, patient name, prescription number, drug name and strength, quantity and signatures of the persons releasing and receiving the medications.

C. Patient prescription medications that have been discontinued shall be destroyed within 60 days if they are controlled substances or if they are not in unit-dose packaging.

D. Patient prescription medications of expired patients shall be destroyed within five days if they are controlled substances or if they are not in unit-dose packaging or if they were brought from home.

E. Other expired or nonusable medications shall be destroyed within five days.

F. Medications shall be destroyed by a pharmacist and a nurse or two nurses, and a record of destruction shall be maintained which includes the date, patient name, prescription number, medication name and strength, quantity, method of destruction and signatures of the persons destroying the medications.

G. Unit-dose packaged medications returnable to the pharmacy shall be returned within ten days.

H. Medications shall not be transferred to other patients and shall not be removed from the facility by hospice staff, except those being returned to the pharmacy.

(4) General Design and Construction Standards for New Inpatient Hospice Facilities.

(A) Health and Safety Laws. The hospice shall meet all federal, state and local laws, ordinances, regulations and codes pertaining to health and safety, including but not limited to, provisions regulating construction, maintenance and equipment.

1. General Requirements.

A. After October 30, 1996, a new hospice facility shall submit plans for approval to the Department of Health for the construction of a new facility, expansion or renovation of an existing state certified hospice or the conversion of an existing facility not previously and continuously state certified and operated as a hospice facility under section 197.250, RSMo.

B. New hospice facilities shall be designed and constructed in conformance with this rule.

C. This rule is not intended to restrict innovations and improvements in design or construction techniques. Accordingly, the Department of Health may approve plans and specifications which contain deviations from this rule. Requests for deviations from requirements on physical facilities shall be in writing to the Department of Health and shall contain information which determines that the respective intent or objectives of this rule have been met. Approvals for deviations shall be in writing and both requests

and approvals shall be made a part of the permanent Department of Health records for the hospice.

D. Where renovation or replacement work is done within an existing licensed facility, all new work, additions, or both, shall comply with the applicable sections of this rule. Where existing major structural elements make total compliance impractical or impossible, alternative proposals which result in an equivalency may be considered by the department.

E. In renovation projects and additions to existing state certified hospice facilities, only that portion of the total facility affected by the project shall comply with the applicable sections of this rule. However, upon construction completion, the facility shall satisfy all functional requirements for state certified hospices.

F. Those existing portions of the facility which are not included in the renovation but which are essential to the functioning of the complete facility as well as existing state certified building areas that receive less than substantial amounts of new work shall, at a minimum, comply with the state certification requirements which were in effect at the time that the existing portion of the building was state certified.

G. All required fire exits shall be maintained throughout the construction and the work shall be phased as necessary to minimize disruption of the existing hospice operation.

2. Planning and Construction Procedures.

A. Any hospice facility constructed or renovated after October 30, 1996 shall have plans and specifications prepared in conformance with Chapter 327, RSMo by an architect or engineer duly registered in Missouri. The owner of each new facility or the owner of an existing licensed inpatient hospice being added to or undergoing major alterations shall provide a program—scope of services—which describes space requirements, staffing patterns, departmental relationships and other basic information relating to the objectives of the facility. The program may be general but it shall include a description of each function to be performed, approximate space needed for these functions and the interrelationship of various functions and spaces. The program shall describe how essential services can be expanded in the future as the demand increases. Appropriate modifications or deletions in space requirements may be made when services are shared or purchased, provided the program indicates where the services are available and how they are to be provided. This program shall be submitted to the Department of Health for review along with the plans developed for the project. Schematic and preliminary plans showing the basic layout of the building and the general types of construction, mechanical and electrical systems and details may be submitted to the department before the larger and more complicated working drawings and specifications so that necessary corrections can be easily made before final plans are completed. Working drawings and specifications, complete in all respects, shall be prepared and submitted to the Department of Health for approval. These plans shall cover all phases of the construction project, including site preparation; paving; general construction; mechanical work, including plumbing, heating, ventilating and air conditioning; electrical work; and all built-in equipment, including elevators, kitchen equipment, cabinet work, and the like.

B. The Department of Health shall be notified in writing within five days after construction begins. Construction shall be in conformance with plans and specifications approved by the Department of Health. The department may elect to inspect the construction of hospice projects at any time during the development of the project. If construction of the project is not started within one year or completed within a period of three years after the date of the approval of the plans and specifications, the plans and specifications shall be resubmitted to the Department of Health for its approval and shall be amended, if necessary, to com-

ply with the then current rules before construction work is started or continued.

C. References in this rule to National Fire Protection Association (NFPA) publications are those contained in the 12-volume *1994 Compilation of NFPA Codes, Standards, Recommended Practices and Guides*. Where there are discrepancies between referenced NFPA publication requirements and this rule, the requirements of this rule shall apply.

D. The design and construction of hospices shall conform to the most stringent requirements of this rule and the local governing building code and zoning ordinances.

3. Site.

A. Adequate paved pedestrian access shall be provided within the lot lines to the main entrance. Loading and unloading space for delivery vehicles shall be paved.

B. Adequate paved parking shall be provided. Parking space needs shall be determined by the local zoning requirement and the operational program but shall not be less than one space for each of the maximum number of staff persons on duty at any given time plus one parking space for each licensed inpatient bed in the facility.

C. Fire lanes shall be provided as required by local authority and kept clear to provide immediate access for fire fighting equipment.

D. The site shall provide reasonable access for those individuals to be served by the facility. The facility shall be on an all-weather road for easy access by vehicular traffic. Consideration should be given to locating the hospice to provide easy access to public transportation services which may be available in the community.

E. The site shall be located within the service area of a public fire department.

4. Roads, parking facilities, walks, ramps and entrances shall be accessible and usable by persons with various physical handicaps.

A. At least one toilet, telephone and drinking fountain shall be provided on each floor of a hospice which is accessible for use by handicapped public and staff.

B. Elevator controls and alarms shall be accessible to wheelchair occupants and shall be provided with tactile signage for the visually impaired.

C. Design details for handicapped accessible facilities should be consistent with the *Guidebook to: The Minimum Federal Guidelines of Requirements for Accessible Design* published January 6, 1981, by the U.S. Architectural and Transportation Barriers Compliance Board.

D. At least ten percent of the patient beds shall be located in handicapped-accessible rooms with accessible toilet rooms which open directly into the patient room. All other clinical areas to which patients have common access shall be handicapped-accessible.

5. Administrative and public areas shall be provided.

A. All hospices shall provide adequate work areas to support the administrative personnel and governing body. The facilities shall allow business to be conducted in a setting which provides confidentiality and privacy as required. The administrative offices may be located remotely from a hospice inpatient unit or may be housed within the inpatient facility.

B. Where administration is included within the inpatient facility, the following shall be provided:

(I) Administrator's office;

(II) Business office including a work area for quality assurance;

(III) Storage and work area for archived medical records;

(IV) Conference room for governing board meetings and personnel in-service training; and

(V) Office for director of patient-care services.

C. Each inpatient hospice facility shall provide the following public areas in a location separated from the clinical and service areas of the facility:

(I) Lobby/waiting room with reception;

(II) Wheelchair accessible public toilet;

(III) Wheelchair accessible public drinking fountain; and

(IV) Wheelchair accessible public phone.

6. Design of patient-care units.

A. One or more patient-care units shall be provided. Each unit shall not exceed a maximum of 20 beds.

B. Each patient-care unit shall be a continuous area which does not require patient-care traffic to traverse other areas and shall be restricted to only one floor level. If justified by the program submitted under subparagraph (2)(A)2.A. of this rule, the department may consider approval of designs which provide for larger capacity patient-care units.

C. The bed area in a patient room exclusive of toilet rooms, closets, alcoves or vestibules, shall not be less than 120 square feet in a private room and not less than 200 square feet in a semi-private room. Heating units and lavatories may protrude into this space.

D. No dimension for the bed area in any patient room shall be less than ten feet.

E. No patient room shall house more than two patients.

F. Each patient-care unit shall have not greater than 50% of its beds housed in semi-private rooms and the remaining rooms shall be limited to occupancy by one patient. If justified by the program submitted under subparagraph (2)(A)2.A. of this rule, the department may consider approval of designs which provide other ratios of semi-private to private patient rooms.

G. Each patient shall have access to a toilet room without entering the general corridor area.

H. One toilet may serve not more than two adjacent rooms.

I. The toilet room shall contain a lavatory and water closet and shall be sized to permit access for the patient and an assisting member of the staff. The lavatory may be omitted from the toilet room if a lavatory is provided in the patient room.

J. At least one patient room per patient-care unit shall be provided to be used for isolation. This unit shall have a toilet room equipped with a bathing facility which serves this room exclusively.

K. Mirrors shall be provided in each patient room or adjoining toilet room. Mirrors shall be at least three feet high located with the bottom edge no more than three feet four inches above the floor.

L. Patients shall have separate wardrobes, lockers or closets located within their respective patient rooms. A clothes rod and shelf shall be provided.

M. One or more windows shall be provided, with the sash not more than three feet above the floor and with a gross area of not less than ten percent of the floor area of the room. In each patient room at least one window to the outside shall be operable. Patient room windows shall be exposed to an outside area not less than 30 feet horizontally opposite the window which contains no construction or grading which would further diminish the view and the exposure of the window to natural light.

N. Social spaces (dining, recreation, meditation) shall be provided throughout the facility with a cumulative area of not less than 30 square feet per patient bed. One social space may serve more than one patient-care unit provided it is directly accessible from each unit and is sized proportionate to the total number of patient beds it serves. No social space shall be smaller than 150 square feet in area.

O. Unless bathing facilities are included in the toilets serving each patient room, central bathing facilities shall be provided

in each patient-care unit at a ratio of not fewer than one for each ten (1:10) beds.

P. Each bathing facility shall be located in its own room and shall be directly accessible from the general corridor. The bathing facility may be either a tub, shower or tub/shower combination.

Q. However, at least one handicapped accessible shower shall be provided on each patient unit.

R. A locked cabinet for the storage of cleaning supplies shall be available in or near each bathroom.

7. Support and services areas. The following staff support and service areas shall be located directly accessible to each patient care unit:

A. Clean work and storage facilities shall be equipped with counter and sink and storage space provided for clean linen and supplies;

B. A separate soiled/decontamination utility room shall be equipped with a clinic sink (this fixture is not required where bedpan-flushing devices have been installed at each patient toilet), counter and sink and sufficient floor space shall be provided to accommodate storage containers for soiled linen, trash and infectious waste;

C. Space shall be provided for secure storage of staff personal items;

D. A staff station shall be located to provide visual supervision of the patient-care unit corridors. The station shall consist of a work counter and secure storage space for charts;

E. A medication storage and preparation station which has a means of locked storage for all medications shall be equipped with a work counter, sink, and refrigerator;

F. Separate locked storage facilities shall be provided in the station for controlled substances;

G. If medications are held in each patient room, the room shall include separate locked storage facilities for each patient's medications;

H. A nourishment station shall be equipped with a work counter, sink, and refrigerator and shall be provided physically remote from the medication preparation station;

I. Storage space shall be provided for mobile equipment used on the unit;

J. A janitor's closet shall be provided which is equipped with a mop sink and has sufficient space for the cleaning equipment and open supplies used to maintain the patient-care unit; and

K. All clean support functions may be located in one clean workroom provided the room is carefully designed to provide adequate storage and function separations.

8. Food service facilities shall be designed and equipped to meet the requirements of the scope of services outlined as follows:

A. Dietary facilities shall comply with 19 CSR 20-1.010;

B. In hospice facilities where food is prepared on-site, the dietary facilities shall, as a minimum, have—a storage space including cold storage for four-day supply, space and equipment for food preparation to facilitate efficient food preparation and to provide for a safe and sanitary environment, conveniently located handwashing facilities, space for preparing food for distribution to patients, warewashing facilities which are isolated from the food preparation and serving area, and storage facilities for waste which is inaccessible for insects and rodents and accessible to the outside for pickup or disposal.

C. The warewashing processes shall produce dietary ware which is free of pathogenic organisms; and

D. In hospice facilities where the food service is provided through a vendor contract, dietary facilities shall, as a minimum, include space for receiving and holding the food transport equipment, utility connections for food transport equipment to maintain appropriate serving temperatures, and a holding area for soiled

dietary ware transport equipment which is out of the patient area and located near the service entrance for pick-up.

(B) Service Facilities Shall Meet the Following Standards:

1. Services including linen service.

A. Service facilities shall be provided in each inpatient hospice facility and located to be out of the normal public and clinical traffic flow.

B. A weather-protected service entrance shall be provided separate from entrances used by public and patients.

C. Space and facilities shall be provided for the sanitary storage and disposal of waste. Exterior dumpsters will suffice provided they can be accessed under the protection provided at the service entrance.

D. A general storage room shall be provided with an area not less than ten square feet per bed for the first 50 beds, plus eight square feet per bed for the next 25 beds, plus five square feet per bed for any additional beds over 75. No storage room shall be less than 100 square feet of floor space. Off-site storage is acceptable, however, 1/2 of the required storage space shall be located in the inpatient hospice facility. General storage shall be concentrated in one area.

E. Space shall be provided to house mechanical equipment. The space shall be adequate for initial installation and ongoing maintenance access for each component of the systems housed in it. Mechanical equipment shall not be installed in rooms designated to house other functions.

F. A housekeeping room shall be provided with a janitor's sink and space to store opened containers of cleaning supplies and housekeeping equipment used to maintain the facility. This room is not required if the hospice is maintained by a contract cleaning service which transports the necessary cleaning supplies and equipment to the facility on a daily basis.

G. An oxygen storage room shall be provided. This room shall be enclosed with one-hour rated construction and shall have a powered or gravity vent to the outside. Permanent racks or fasteners shall be provided and used in the oxygen storage room to prevent accidental damage or dislocation of oxygen cylinders. In facilities storing quantities of oxygen less than 1,500 cubic feet in total, a power ventilated storage cabinet will comply. No ventilated gas storage facilities are required in hospices which store no medical gases within the building.

H. Laundry services may be provided by the hospice operator or may be obtained through contract with a linen service vendor. If laundry for the facility is done commercially, either entirely or in part, space shall be provided for the sorting, processing and storing of both soiled and clean linen. Storage space shall be located to facilitate convenient pickup and delivery by commercial laundry personnel. Hospices with only one patient-care unit may accommodate these functions within the utility facilities provided in the unit's staff support area.

I. Hospice-operated laundry facilities shall be designed and procedures instituted to prevent cross-contamination of clean and dirty linen. The laundry room shall be in a separate room from the kitchen, patients' rooms, the dining room and the bathrooms or the nursing utility room. Adequate space shall be provided in the laundry room for the storing, sorting and processing of soiled linen. The processes of the laundry operation shall be appropriate to the production of patient linens which are free of pathogenic organisms. Space shall be provided for the storage of clean linen in a separate room from the laundry.

J. As may be required by the program, laundry facilities provided for cleaning patients' clothing exclusively shall be located in the patient-care unit but in a room separate from other functions. A residential-style laundry equipment installation is acceptable.

K. As required by the program, living and sleeping quarters, separate from patients' facilities, shall be provided for the employees and their families who may reside in the facility;

2. Elevators.

A. All inpatient hospice facilities having patient-care facilities located on any floor other than the main entrance floor shall have at least one electric or electrohydraulic elevator. Hospice facilities with more than 30 beds located on any floor other than the main entrance floor shall have at least two elevators. Hospice facilities with more than 200 beds located on any floor other than the main entrance floor shall provide passenger and service elevators in numbers and at locations determined by a professionally conducted study of the hospice operation and its estimated vertical transportation needs.

B. Inside dimensions of patient-use elevators shall be not less than five feet four inches by eight feet with a capacity of 3,500 pounds. Cab and hoistway doors shall be not less than three feet ten inches clear opening.

C. Elevators shall be equipped with an automatic leveling device of the two-way automatic maintaining type with an accuracy of plus or minus one-half inch.

D. Elevator call buttons, controls and door safety stops shall be of a type that will not be activated by heat or smoke.

E. Elevator controls, alarm buttons and telephones shall be accessible to wheelchair occupants and usable by others with various physical disabilities.

F. Elevator hoistway doors shall be fire rated to maintain the integrity of the fire-rated shaft enclosure;

3. Chutes and dumbwaiters.

A. Chutes and dumbwaiters may be installed in hospice facilities as required by the operational program.

B. Linen and trash chutes shall be of fire-resistant material and shall be installed with flushing ring, vent to atmosphere and floor drain at the floor of the chute discharge. An automatic sprinkler shall be provided at the top of each linen and trash chute.

C. Service openings to chutes shall not be located in corridors or passageways but shall be located in a room having a fire-resistant construction of not less than one hour. Doors to the rooms shall be not less than 3/4-hour labeled doors equipped with an automatic closing device.

D. Service openings to chutes and other vertical openings shall have an approved self-closing labeled fire door rating not less than the fire-resistant rating of the shaft in which the chute is installed.

E. Chutes shall discharge directly into collection rooms separate from the incinerator, laundry or other services. Separate collection rooms shall be provided for trash and for linen. These rooms shall have a fire-resistant construction of not less than one hour. Doors to these rooms shall be not less than 3/4-hour labeled doors equipped with an automatic closing device.

F. Dumbwaiters, conveyors and material-handling systems shall not open directly into a corridor or exitway but shall open into a room enclosed by construction having a fire resistance of not less than one hour and provided with a 3/4-hour labeled fire door with a self-closing device.

G. Where horizontal conveyors and material-handling systems penetrate fire-rated walls or smoke walls, the penetrations shall be protected to maintain the integrity of the wall;

4. General design, finish and life safety requirements.

A. A continuous system of unobstructed corridors, referred to as required corridors, shall extend through the enclosed portion of each story of the building, connecting all rooms and spaces with each other and with all entrances, exitways and elevators, with the following exceptions: work suites such as the administrative suite and dietary area, which are occupied primarily by employed personnel, may have within them corridors or aisles as considered

advisable, but are not subject to the regulations applicable to required corridors. Areas may be open to the required corridor system as permitted by NFPA 101 (1994), *The Life Safety Code*.

B. The arrangement of the physical plant shall provide for separation of the administrative/business, service and public areas from patient service areas.

C. Ceilings shall be at a height of at least eight feet. Ceilings in corridors, storage rooms, toilet rooms and other minor rooms shall not be less than seven feet six inches. Suspended fixtures located in the path of normal traffic shall not be less than six feet eight inches above the floor.

D. Handrails may be provided on both sides of all corridors and aisles used by patients and, if provided, corridor handrails shall have ends return to the wall.

E. New inpatient hospice facilities shall be designed and constructed in compliance with Chapters Five through Seven and Chapter Twelve of NFPA 101 (1994), *Life Safety Code* and NFPA 99 (1993) *Standard for Health Care Facilities*, NFPA 13 (1994) *Standard for Installation of Sprinkler Systems* and NFPA 90A (1993) *Standard for the Installation of Air Conditioning and Ventilation Systems*. Section 12-6 of NFPA 101 shall not apply to these facilities.

F. Hardware on toilet room doors shall be operable from both the inside and the outside. All toilet room doors shall provide a net clear opening of not less than 32 inches.

G. The corridor doors from all patient-use areas as well as all doors through which patients may need to pass for emergency exit shall be not less than 36 inches wide.

H. Every window in patient-use areas shall be provided with shades, curtains or drapes. Curtains and drapes shall be made of fabric which is treated to be or is inherently flame-retardant.

I. The floors of toilets, baths, utility rooms and janitor's closets shall have smooth, waterproof surfaces which are wear-resistant. The floors of kitchens and food preparation areas shall be waterproof, greaseproof, smooth and resistant to heavy wear.

J. The walls of all rooms where food and drink are prepared, served or stored shall have a smooth surface with painted or equally washable finish. At the base they shall be waterproof and free from spaces which may harbor insects. The walls of kitchens, utility rooms, baths, warewashing rooms, janitor's closets and spaces with sinks shall have waterproof, painted, glazed, or similar finishes to a point above the splash and spray line.

K. The ceilings of all kitchens, sculleries and other rooms where food and drink are prepared shall be painted with washable paint.

L. All casework in the facility shall be finished with at least a sealer on all interior surfaces. Casework with sinks installed in the counter shall be caulked to provide a watertight joint between the backsplash and the wall.

M. All floor covering used in inpatient hospice facilities shall have either Class A or B fire ratings as required by Chapter Twelve of NFPA 101 (1994), *The Life Safety Code*.

N. Stairways, ramps, elevator hoistways, light or ventilation shafts, chutes and other vertical openings between stories shall be enclosed with construction which is equal to or greater than the required floor assembly rating of the building's construction type.

O. The number of stories in a building housing a hospice facility shall be determined by counting the number of occupiable levels in the building regardless of their location at, above or below grade.

P. Each room or patient-use area shall be conspicuously and unmistakably identifiable at its entrance by patients, visitors and staff.

Q. All signage within six feet of the floor shall be tactile to be usable by visually impaired persons.

R. Fire-resistant ratings—

(I) Definitions—

(a) Fire-separation distance is the distance in feet measured from the building face to the closest interior lot line, to the centerline of a street or public way or to an imaginary line between two buildings on the same property.

(b) Fire-protection rating is the time in hours, or fractions of an hour, that an opening protective assembly will resist fire exposure as determined in accordance with the test procedures set forth in ASTM E119.

(II) Exterior walls with a fire-separation distance less than five feet shall have a fire-resistant rating of one hour.

(III) In exterior walls with a fire-separation distance of three feet or less, no openings will be allowed, from three feet to five feet no unprotected openings will be allowed, and protected openings will be allowed with a total aggregate area of 15% of the wall surface.

(IV) Approved fire protective assemblies shall be fixed, self-closing or equipped with approved automatic-closing devices, a fire-resistant rating of not less than 3/4 of an hour shall be required.

(V) Fire protective assemblies are not required where outside automatic sprinklers are installed for the protection of the exterior openings. The sprinklers shall be installed in accordance with NFPA 13;

5. Structural design.

A. All new facilities and additions to all areas of existing licensed facilities which undergo major remodeling, in all their parts, shall be of sufficient strength to resist all stresses imposed by dead loads, live loads and lateral or uplift forces such as wind, without exceeding, in any of the structural materials, the allowable working stress established for these materials by generally accepted good engineering practice.

B. Foundations shall rest on solid ground or properly compacted fill and shall be carried to a depth of not less than one foot below the estimated frost line or shall rest on leveled rock or load-bearing piles when solid ground is not encountered. When engineered fill is used, site preparation and placement of fill shall be done under the direct full-time supervision of the soils engineer. The soils engineer shall issue a final report on the compacted fill operation and certify its compliance with the job specifications. Reasonable care shall be taken to establish proper soil-bearing values for soil at the building site. If the bearing capacity of the soil is in question, a recognized load test may be used to determine the safe bearing value. Footings, piers and foundation walls shall be adequately protected against deterioration from the action of groundwater;

6. Electrical systems.

A. The entire electrical system shall be designed, installed and tested in compliance with NFPA 70 (1993) *The National Electrical Code* and NFPA 99 (1993) *Standard for Health Care Facilities*.

B. Emergency lighting shall be provided for exits, stairs and exit access corridors which shall be supplied by an emergency service and automatic electric generator or battery lighting system. This emergency lighting system shall be equipped with an automatic transfer switch. If battery lights are used, they shall be wet cell units or other rechargeable-type batteries equipped with automatic trickle charger. These units shall be rated at four hours.

C. Patient rooms shall have a minimum general illumination of ten foot-candles, a night-light and a patient's reading light. The general illumination fixtures and the night-light shall be switched at the patient room door.

D. Ceiling lighting fixtures, if used, shall be of a type which are shaded or globed to minimize glare.

E. Each patient room shall have not less than one duplex receptacle on each wall in the room. The spacing of receptacles around the perimeter of the room shall not be greater than 12 feet.

F. All occupied areas shall be adequately lighted as required by the duties performed in the space.

G. Night-lights shall be provided in corridor, stairways and patient rooms. Toilets adjacent to patient rooms are not required to have night-lights.

H. An electrically powered communication system shall be provided which allows staff to respond to patient calls regardless of patient location.

I. An electrically powered fire alarm system shall be provided as required by NFPA 101 (1994) *The Life Safety Code*. The fire alarm system shall have an emergency back-up source of electrical power and a direct connection for notifying the fire department or fire department dispatch service. Fire alarm manual pull stations shall be provided at each exit and at each staff workstation in the patient-care units. Smoke detectors shall be installed in social space rooms which open directly to the corridor, in the vicinity of any smoke or fire door which is permitted to be held open by a magnetic hold-open device, and in the corridors at intervals not exceeding 30 feet.

J. Portable fire extinguishers shall be provided as required by NFPA 101 (1994) *The Life Safety Code* and the local authority;

7. Mechanical systems.

A. The heating, ventilation and air-conditioning systems shall be capable of providing temperature ranges between 72°F–80°F in all patient-care areas. The heating system shall be capable of maintaining a winter indoor temperature of not less than 72°F in all nonpatient areas. The air-conditioning system shall be capable of maintaining a summer indoor temperature of not more than 80°F in all nonpatient areas.

B. The heating system shall have automatic controls adequate to provide comfortable conditions in all portions of the building at all times.

C. Heating, ventilation and air-conditioning systems installed in inpatient hospice facilities shall be designed, installed and balanced in compliance with NFPA 90A (1993) *Standard for the Installation of Air Conditioning and Ventilation Systems*, and shall provide the pressure relationships and at least the minimum air change rates indicated in Table 1.

TABLE 1—VENTILATION REQUIREMENTS

Area Designation	Pressure Relationship to Adjacent Areas	Minimum Air Changes of Outdoor Air Per Hour Supplied to Room	Minimum Total Air Changes Per Hour Supplied to Room	All Air Exhausted Directly to Outdoors	Air Returned From This Room
Patient Room	E	2	2	Optional	Optional
Patient Area Corridor and Patient Living Room	P	2	2	Optional	Optional
Soiled Workroom and Soiled Linen Holding	N	Optional	6	Yes	No
Clean Staff Work Area	P	2	6	Optional	Optional
Toilet Room	N	Optional	6	Yes	No
Clean Linen Storage	P	Optional	2	Optional	Optional
Designated Smoking Area	N	Optional	10	Yes	No
Food Preparation Area	E	2	6	Yes	No
Warewashing	N	Optional	6	Yes	No
Dietary and General Storage	V	Optional	2	Optional	Optional
Linen and Trash Chute Room	N	Optional	6	Yes	No
Medical Gas Storage and Manifold Rooms	N	Optional	6	Yes	No
Administrative and Public Areas	E	2	2	Optional	Optional

P = Positive

N = Negative

V = Variable

E = Equal

D. All air-moving, heating, ventilation and air-conditioning equipment shall be equipped with at least one filter located upstream of the conditioning equipment. If a pre-filter is employed, the pre-filter shall be upstream of the conditioning equipment and the main filter shall be located farther downstream. All filters shall be easily accessible for maintenance. Filter frames shall be durable and carefully dimensioned and shall provide an airtight fit with the enclosing ductwork. All joints between the filter segments and the enclosing ductwork shall be sealed to preclude air leakage.

E. Outside air intakes shall be located no less than 25 feet from exhaust outlets of ventilation systems, combustion equipment stacks, clinical suction discharges and plumbing vent stacks or from areas which may collect vehicular exhaust and other noxious fumes.

F. Corridors shall not be used to supply air to or exhaust air from any room, except that air from corridors may be used to ventilate bathrooms, toilet rooms, janitor's closets and small electrical or telephone closets opening directly onto corridors provided that ventilation can be accomplished by the undercutting of doors. The installation of louvers in corridor doors is prohibited. The space above the finished ceiling may be used as a plenum for return air only.

G. Exhaust hoods in meal preparation areas shall comply with the requirements of NFPA 96 (1994). All hoods and cooktop surfaces in meal preparation areas shall be equipped with automatic fire suppression systems, automatic fan controls and fuel shutoff;

8. Plumbing systems.

A. The entire plumbing system, its design, operation and maintenance shall comply with the requirements of all applicable local and state codes including the requirements set forth in this rule.

B. Plumbing fixtures.

(I) All plumbing fixtures shall be of nonabsorptive acid-resistant material.

(II) Clinical sinks shall have a bedpan-flushing device and shall have an integral trap in which the upper portion of a visible trap seal provides a water surface.

(III) Showers and tubs shall be provided with nonslip surfaces.

(IV) Water closets in patient areas shall be quiet operating types.

(V) Stools in patient toilet facilities shall be the elongated bowl type with nonreturn stops, backflow preventers and silencers. Seats shall be the split type and white in color.

(VI) Grab bars or handrails shall be provided adjacent to all bathtubs.

(VII) All lavatories shall be trimmed with valving operable without the use of hands.

C. Water supply systems.

(I) A reliable source of potable water shall be provided at the site to supply water in sufficient quantities to meet the various use demands of the hospice. The source of water shall have been tested and approved by the Missouri Department of Natural Resources.

(II) The water supply systems shall be designed to supply water at sufficient pressure to operate all fixtures and equipment during maximum demand periods.

(III) Each water service main, branch main, riser and branch to a group of fixtures shall be valved. Stop valves shall be provided at each fixture.

(IV) Reduced pressure backflow preventers shall be installed on water service entrance, hose bibbs, janitors' sinks, bedpan-flushing attachments, and on all other fixtures to which hoses or tubing can be attached. The installation of backflow preventors shall provide safeguards against waterline expansion.

(V) The water supply system shall be designed to provide hot water at each hot water outlet at all times. The water-heating equipment shall have sufficient capacity to supply five gallons of water at 120°F per hour per bed for hospice fixtures and eight gallons per bed for kitchen and laundry. Lesser capacities may be accepted upon submission of the calculation for the anticipated

demand of all fixtures and equipment in the building. Hot water at showers and bathing facilities shall not exceed 110°F. Hot water at handwashing facilities shall not exceed 120°F. Hot water circulating mains and risers shall be run from the hot storage tank to a point directly below the highest fixture at the end of each branch main.

D. Drainage systems.

(I) All fixtures and equipment shall be connected through traps to soil and waste piping and to the sewer and they shall all be properly vented to the outside.

(II) Courts, yards and drives which do not have natural drainage from the building shall have catch basins and drains to low ground, storm-water drainage system or dry wells.

(III) The building sanitary drain system shall be piped in cast iron, steel, copper or plastic.

(IV) Building sewers shall discharge into a community sewerage system when available. If such a system is not available, a facility providing sewage treatment shall conform to the rules of the Department of Natural Resources.

(V) Drainage piping shall not be installed within the ceiling or exposed in food preparation centers, food service facilities, food storage areas and clean linen storage rooms; special precautions shall be taken to protect any of these areas from possible leakage or condensation from necessary overhead drainage piping systems. These special precautions include requiring noncorrosive drip troughs with a minimum four-inch outside diameter to be installed under the drainage pipe in the direction of slope to a point where the pipe leaves the protected space and terminates at that point—usually at a wall. The trough shall be supported with non-corrosive strap hangers and screws from the pipe above. Trough joints and hanging screw penetrations shall be sealed to maintain watertight integrity throughout.

E. Natural or liquefied petroleum (LP) gas systems.

(I) Where gas-fire equipment is used, all gas piping, fittings, tanks and specialties shall be provided and installed in compliance with NFPA 54 (1992), NFPA 58 (1992), and the instructions of the gas supplier, except where more strict requirements are stated. Where liquefied petroleum gas (LPG) is used, compliance with the rules of the Missouri Department of Agriculture is also required.

(II) Where gas piping enters the building below grade, it shall have an outside vent as follows: a concrete box shall be made 18 inches by 18 inches with three-inch thick walls, of a height to rest on top of the entering gas pipe, and the top of the box to coming within six inches of top grade. The box shall be filled with course gravel. A one-inch upright vent line shall be to 1/2 the depth of the box and extend 12 inches above grade with a screened U-vent looking down. The vent line shall be anchored securely to the building wall.

(III) Gas outlets and gas-fired equipment shall not be installed in any patients' bedrooms.

F. Where a piped central medical gas distribution system is installed, the oxygen piping, outlets, manifold rooms, and storage rooms shall be installed in accordance with the requirements of Chapter 4 of NFPA 99 (1993); and

9. Fire prevention and general operating requirements.

A. The hospice facility shall be maintained in a manner which provides a clean safe environment for the delivery of patient care and shall, until remodeled or renovated with the approval of the Department of Health, remain compliant with the codes and regulations under which the facility was constructed.

B. Exitways shall always be maintained free of obstructions.

C. Curtains, drapes and cubicle curtains shall be maintained in a manner which does not compromise their fire-resistant properties.

D. Smoking may be permitted in the patient's room by the patient only, and designated smoking areas by others. Designated smoking areas shall be ventilated as required by Table 1 of this rule. Modification of the patient room ventilation system is not required to permit occasional authorized smoking by a patient.

E. All waste containers shall be of noncombustible construction.

F. Electrical systems and medical gas systems shall be tested according to the provisions of NFPA 99 (1993) and shall be modified as necessary to comply with the operational requirements of that standard.

(5) General Design and Construction Standards for Existing Inpatient Hospice Facilities.

(A) Any inpatient hospice facility existing and in continuous operation prior to the date of October 30, 1996, will upon receipt of application for licensure, be inspected by the Department of Health to determine compliance with this rule. Where existing physical conditions cause strict compliance to be difficult to achieve, the department may determine that the intent of the new construction rules has been satisfied through the establishment of acceptable equivalency conditions. The provision of fire alarm and detection systems, automatic extinguishment systems, building compartmentation and the presence of staff trained consistent with the facility's disaster preparedness plan are factors which will be considered in determining fire safety compliance equivalency. The ability of the existing facility to meet the programmatic needs of the patients, their family, staff and public in an accessible and sanitary environment will be considered in determining functional equivalency. Existing inpatient hospice facilities shall provide the department evidence of compliance with all local regulations and codes as well as evidence that the existing operation is in good standing with the health facility licensure programs administered by Department of Social Services/Division of Aging. Existing inpatient hospice facilities shall be operated and licensed exclusively under the provisions of section 197.250, RSMo.

AUTHORITY: section 197.270, RSMo 2000. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded and readopted: Filed Jan. 3, 2001.

PUBLIC COST: The proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: The proposed rule will cost private entities \$4,280,286 annually in the aggregate. See attached detailed fiscal note.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or opposition to this proposed rule with Lois Kollmeyer, Director, Division of Health Standards and Licensure, Department of Health, PO Box 570, Jefferson City, MO 65102, (573) 751-6336. To be considered, comments shall be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

FISCAL NOTE PRIVATE ENTITY COST

I. RULE NUMBER

Title: Title 19 - Department of Health

Division: Division 30 - Division of Health Standards and Licensure

Chapter: Chapter 35 - Hospices

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-35.020 Hospices Providing Direct Care in a Hospice Facility

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
2	In-Patient Hospice	\$4,280,286 annually

III. WORKSHEET

The estimate equals the total amount of annual cost of \$2,140,143 per individual in-patient hospice facility. The aggregate is based upon annual fiscal costs times 2 in-patient hospice facilities effected for a total of \$4,280,286 annually.

General Assumptions:

- Facility costs are based on new construction of 2-20 bed units or a 40-bed capacity inpatient hospice.
- There are currently 72 privately owned hospice programs that choose to operate a state-certified hospice program as a separate business.

Assumptions:

1. Minimum of 4 staff required for 40 beds: 1-LPN at 9.00/hour-18,720 FTE times 3 shifts and 3 aide/companions at 5.50/hours -11,440 FTE times 3 shifts.
2. Estimate 3% RN Coordinator's time for disaster preparedness plan with safety plan of 19 CSR 30-30.010.
3. Estimate full capacity of 40 patients times 3 meals per day - 120 meals per day times 365 days for \$175,200 actual meal costs. Estimate Dietary Consultant costs of 8 hours per month, 96 hours/year at \$28.00/hour for \$2,688.
4. Equipment needed for snack preparation, nourishment station, or both, (coffeemaker, microwave, blender, toaster, refrigerator, stove, dishwasher, ice machine, two small carts, tableware, etc.).
5. Equipment including electric hospital beds, overbed tables, bedside stands, recliners, and privacy curtain for semi-private rooms.
6. Estimate one pound infectious waste per patient per day at a cost of .30 per patient to remove waste.

7. Estimate locked medication cart at \$2,000 - One for each patient unit needed. Estimate 2 hours onsite plus telephone pharmacist consultation cost of \$400 per month.
8. SNF Certificate of Need figures of \$80/square foot were used. Estimate square footage of 2-20 bed unit facility to have 16,000 square foot at a minimum.
9. The location of hospice administrative offices within the facility is optional (desks, chairs, office equipment, misc. included here)
10. Furnishings for social spaces (sofas, chairs, large screen television, etc.).
11. Equipment for staff (refrigerator, table, chairs, coffeemaker).
12. Additional refrigerator for medication.
13. Housekeeping salaries 2 FTE \$14,000 each plus \$1800 in janitorial supplies and equipment.
14. Two food transportation carts for two units.
15. 600 pounds laundry/patient/day at .30/pound plus purchase of linens for 40 patients.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 35—Hospices

PROPOSED RESCISSION

19 CSR 30-35.030 State Certification Management. This rule defined the state activities related to the inspection, complaint investigation, and issuance of the certificate for state-certified hospice programs.

PURPOSE: This rule is being rescinded because extensive changes to its content and format require promulgation of a new rule.

AUTHORITY: section 197.250, RSMo 1994. Original rule filed March 8, 1996, effective Oct. 30, 1996. Rescinded: Filed Jan. 3, 2001.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with Lois Kollmeyer, Director, Division of Health Standards and Licensure, PO Box 570, Jefferson City, MO 65102-0570, phone (573) 751-6336. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 35—Hospices

PROPOSED RULE

19 CSR 30-35.030 State Certification Management

PURPOSE: This rule defines the state activities related to the inspection, complaint investigation, and issuance of the certificate for state-certified hospice programs.

(1) Initial Application. When an initial application and initial fee of \$500 for state hospice certification is received, the applicant shall provide the Department of Health (DOH) with sufficient evidence that the hospice has established appropriate policies and procedures for providing hospice services according to these rules. After review of these policies and procedures, and verification the hospice has the capability of providing hospice services by qualified persons, the DOH shall issue a temporary operating permit not to exceed 90 days. After the hospice has been in operation for 90 days, or sooner if possible, the DOH shall survey the hospice for compliance with these rules. The hospice shall have provided care to at least three patients for a period of at least three weeks for the purpose of the initial survey review. The DOH shall conduct the unannounced initial survey after the applicant indicates a readiness for that survey. The DOH may extend the temporary approved certificate if the hospice can show good intent to accomplish the preparations for initial survey.

(2) The Annual Survey Inspection. The hospice management shall allow representatives of the Department of Health to survey the hospice to determine continued eligibility for hospice state certification. An annual renewal application and annual renewal fee per sliding scale must be submitted by every hospice prior to the expiration of the previous certificate. Sliding scale annual renewal fees will be based on annual patient admissions and are as follows: 0–50 admissions, \$250; 51–150 admissions, \$400; 151–250 admissions, \$550; and 251+ admissions, \$750.

(A) The survey may include visits to the place of residence of any appropriate patient or family. After completion of the DOH survey, a written survey deficiency report shall be prepared showing the findings with respect to compliance or noncompliance with the provisions and the standards established in this chapter. The list of deficiencies found shall be served upon the hospice within 15 business days following the survey process. The list of deficiencies shall specifically state the statute or rule which the hospice is alleged to have violated. The hospice shall inform the DOH of the time necessary for compliance not to exceed 60 days from the exit date of the survey and within ten business days shall file a plan of correction with the DOH. A follow-up by the DOH to assure implementation of the plan of correction shall occur within 60 days of the hospice's prior approved plan of correction date.

(B) Any person wishing to make a complaint against a hospice certified under the provisions of sections 197.250–197.280, RSMo, may register the complaint in writing or verbally with the DOH setting forth the details and facts supporting the complaint. The DOH shall investigate complaints received. Any complaint related to abuse, neglect or exploitation as described in section 197.266, RSMo shall be reported according to the requirements of that section.

(C) In addition to the survey inspection required for initial certification or certification renewal the DOH may make other survey inspections and/or complaint investigations during normal business hours. Each hospice shall allow the DOH or its authorized representatives to enter upon its premises as needed for the purpose of conducting a survey inspection and/or complaint investigation.

(3) Change of Ownership. The hospice certification shall not be transferable or assignable. If during the period in which a certificate is in effect, an operator which is a partnership, limited partnership, or corporation undergoes any of the following changes, whether by one or by more than one action, the operator shall apply for a new approved certificate not less than 30 days before any change:

(A) With respect to a limited partnership, a change in the majority interest of general partners;

(B) With respect to a limited partnership, a change in the general partner or in the majority interest of limited partners; or

(C) With respect to a for-profit corporation, a change in the persons who own, hold or have the power to vote the majority of any class of stocks issued by the corporation.

(4) Multiple Offices/Counties. When the hospice consistently manages and supervises multiple offices, serving contiguous geographic areas as evidenced by indicators such as consistent meetings, chart review and other methods, and evidences the provision of patient-care services on a consistent basis throughout its geographic area of services, only one certificate shall be required. A \$200 fee per each multiple office will be added to the annual renewal fee, not to exceed a total of \$750. When the hospice has multiple offices or county areas and it is evident that consistent management and supervision or consistent provision of patient-care services throughout its service area is lacking, a separate certificate shall be required for one or more of the multiple offices or

through the new development of a separate certified office as determined by the DOH. Statewide certification will not be granted. Inpatient facilities shall be located within boundaries of the state of Missouri.

(5) Satellite Offices and Reciprocal Agreements with Bordering States. All agencies providing hospice services in Missouri shall have a valid Missouri Hospice Certification and shall pay the annual fee. The satellite office shall make available all records required for the survey which shall be conducted by the DOH.

(6) Certificate Not Issued. A certificate shall not be issued or renewed if the operator, owner or any principal in the operation of the hospice has ever been convicted of any offense concerning the operation of hospice or of any offense which is reasonably related to the qualification, functions, or duties of a hospice. Notwithstanding any other provisions of law, the DOH shall have access to records involving an owner or manager of a hospice applying for or renewing a certificate as provided in this chapter, where the applicant has been adjudicated and found guilty or entered a plea of guilty or *nolo contendere* in a prosecution under the laws of any state or of the United States for any offense reasonably related to the qualification, functions or duties of any person who manages or owns a hospice certified under sections 197.250-197.280, RSMo. The DOH may deny, suspend, or revoke the certificate of any company whose owners or managers have been convicted of such an offense.

(7) Revocation. The DOH may refuse to issue, may suspend or may revoke or refuse to renew the certificate of any hospice for failure to comply with any provision of sections 197.250-197.280, RSMo, or with any of these rules or standards adopted under the provisions of sections 197.250-197.280, RSMo, or for obtaining a certificate by means of fraud, misrepresentation or concealment of any material facts. Any hospice which has been refused a certificate or which has had its certificate revoked or suspended by the DOH may seek a review of the Department of Health's action by the Administrative Hearing Commission. There shall be a six-month waiting period for reapplication from final Department of Health action.

(8) Intermediate Sanctions. If the department determines on the basis of an inspection, or otherwise, that a state-certified hospice program is no longer in compliance with the requirements specified in these rules, and determines that the deficiencies jeopardize the health and safety of the patients of the hospice, the department shall take action to remedy the specific deficiencies through intermediate sanctions or the termination of the certification. Any action taken under this section shall be immediately effective notwithstanding any provisions of law to the contrary. Intermediate sanctions may include:

(A) Suspension of all or part of the services provided by the hospice;

(B) Restrictions on the admission of new patients to the hospice's program;

(C) DOH approval of the appointment of temporary management at hospice expense to oversee the operation of the hospice to protect and assure the health and safety of the individuals under the care of the hospice while improvements are made in order to bring the hospice into compliance with the requirements of these rules; and

(D) These intermediate sanctions shall be designed so as to minimize the time between identification of deficiencies and imposition of these sanctions, and shall provide for the imposition of incrementally more severe sanctions for repeated or uncorrected deficiencies.

AUTHORITY: section 197.270, RSMo 2000. Original rule filed March 8, 1996, effective Oct. 3, 1996. Rescinded and readopted: Filed Jan. 3, 2001.

PUBLIC COST: The public entity cost for this proposed rule is estimated at \$147,000 annually in the aggregate. A fiscal note containing a detailed estimate cost of compliance has been filed with the Secretary of State's Office.

PRIVATE COST: This proposed rule will cost private entities \$2,082,010 annually in the aggregate. A fiscal note containing a detailed estimate cost of compliance has been filed with the Secretary of State's Office.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or opposition to this proposed rule with Lois Kollmeyer, Director, Division of Health Standards and Licensure, Department of Health, PO Box 570, Jefferson City, MO 65102, (573) 751-6336. To be considered, comments shall be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC ENTITY COST****I. RULE NUMBER**

Title: Title 19 - Department of Health

Division: Division 30 - Division of Health Standards and Licensure

Chapter: Chapter 35 - Hospices

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-35.030 State Certification Management

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
Department of Health, Division of Health Standards and Licensure, Bureau of Home Care and Rehabilitative Standards		\$147,000 annually

III. WORKSHEET

The estimate equals the total amount of an annual on-site inspection at the cost of \$2100 per survey. The aggregate is based upon annual fiscal costs times the 70 hospices effected \$147,000 annually.

IV. ASSUMPTIONS

This rule defines the requirements of the state certified hospice programs. The assumption is made that any other costs that may have occurred or may occur are unforeseeable or unquantifiable.

NOTE: The private entities are currently incurring costs under the existing rules. The existing rules are being rescinded and replaced with these proposed rules.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: Title 19 - Department of Health

Division: Division 30 - Division of Health Standards and Licensure

Chapter: Chapter 35 - Hospices

Type of Rule Making: Proposed Rule

Rule Number and Name: 19 CSR 30-35.030 State Certification Management

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
70	Hospice	\$2,082,010 annually

III. WORKSHEET

The estimate equals the total amount of annual cost of \$29,743 per individual hospice. The aggregate is based upon annual fiscal costs times 70 hospice effected for a total of \$2,082,010 annually.

General Assumption:

- There are currently 70 privately owned hospices programs that choose to operate a Medicare-Certified hospice program as a separate business.

Assumptions:

1. \$250 license fee plus \$100 preparation costs.
2. Less than 5% (4) of hospices change ownership every year. Estimate \$769/facility for change of ownership times 4 facilities.
3. A. Suspension of all or part of the services would decrease patient revenues, unsure of amount.
B. Restrictions of new admissions, estimate 2 patients per month times 2 months for plan of correction. This represents 120 days of lost reimbursement at \$4.00/day.
C. Temporary management at \$4,000/month times 2 months for plan of correction.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than 30 days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The 90-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 70—Special Education
Chapter 742—Special Education**

ORDER OF RULEMAKING

By the authority vested in the state board of education under section 178.430, RSMo 2000, the board hereby amends a rule as follows:

5 CSR 70-742.141 is amended.

A notice of proposed rulemaking was not published because state program plans required under federal education acts or regulations are specifically exempt under section 536.021, RSMo. Public hearings were held on June 9, 2000 in Springfield; June 13, 2000 in Kansas City; and June 15, 2000 in St. Louis. Comments received were considered prior to submitting the application to the United States Department of Education.

This order of rulemaking was previously published in the *Missouri Register* on January 16, 2001 (26 MoReg 284-285). Due to a publication error, the text of this rule was omitted, therefore this order of rulemaking is now reprinted in its entirety in this issue of the *Missouri Register*.

This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*. This rule describes

Missouri's services for infants and toddlers with disabilities, in accordance with Part C of the Individuals with Disabilities Education Act, Public Law 105-17.

5 CSR 70-742.141 Individuals with Disabilities Education Act, Public Law 105-17, Part C. This amendment of incorporated by reference material is needed to bring the program plan in compliance with federal statutes.

PURPOSE: The Department of Elementary and Secondary Education is eligible to apply for and receive federal funds under the Individuals with Disabilities Education Act of 1986 for the provision of early intervention services to infants and toddlers with disabilities. This rule incorporates by reference changes to the annual program plan required by new federal statutes for the provision of the services to eligible children.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) The Missouri Department of Elementary and Secondary Education, in consultation with the parents, interested community members, early intervention service providers, representatives of special populations, representatives of other state agencies, and the governor, prepares the state plan. The plan identifies specific groups of individuals to be served and indicates the types of services and activities which may be provided.

(2) The Missouri state plan for the Individuals with Disabilities Education Act (IDEA), Part C contains the administrative provisions for the delivery of the state's federally assisted early intervention system. The Missouri state plan for the IDEA, Part C 2000 is hereby incorporated by reference and made a part of this rule.

(3) Rules pertaining to the state board of education which is responsible for the administration of the state plan, statements of assurance, methods of coordination, and procedures for the operation of the system are contained in the plan.

(4) Operational procedures are contained in the plan. Additional procedures pertaining to personnel development activities are also included.

(5) The content of this state plan, as submitted to the United States Department of Education, meets the federal statute and Missouri's compliance in the following areas:

(A) Submission statements and certification; and

(B) Substantive Requirements.

1. Definitions
2. Lead agency
3. State Interagency Coordinating Council
4. Public participation
5. Equitable distribution of resources
6. Transition to preschool programs
7. Adoption of state policy
8. Traditionally underserved populations
9. Services to all geographic areas
10. Annual performance report requirement
11. Annual Data Collection Report requirement
12. General Education Provisions Act
13. State definition of developmental delay

14. Central directory
15. Timetables for serving all eligible children
16. Public Awareness Program
17. Comprehensive Child Find System
18. Evaluation, assessment, and nondiscriminatory procedures
19. Individualized Family Service Plans (IFSPs)
20. Comprehensive System of Personnel Development (CSPD)
21. Personnel standards
22. Procedural safeguards
23. Supervision and monitoring of programs
24. Lead agency procedures for resolving complaints
25. Policies and procedures related to financial matters
26. Interagency agreements, resolution for individual disputes
27. Policy for contracting or otherwise arranging for services
28. Data collection
29. Natural environments policies
30. Appendices
 - A. Operational policies
 - B. Education Department General Accounting Rules definitions
 - C. Public notification of opportunity to comment

AUTHORITY: section 178.430, RSMo 2000, Executive Order 94-22 of the Governor, Public Law 105-17, Individuals with Disabilities Education Act. Original rule filed Dec. 29, 1997, effective March 30, 1998. Amended: Filed July 31, 1998, effective Oct. 30, 1998. Amended: Filed Dec. 7, 2000, effective Feb. 28, 2001. Amended: Filed Dec. 7, 2000.

PUBLIC COST: This order of rulemaking will cost state agencies or political subdivisions \$18,575,648 in the aggregate assuming the life of the rule is for two fiscal years based on the one-year extension by the federal government to submit a new State Plan.

FISCAL NOTE PUBLIC ENTITY COST

1. Rule Number

Title: Department of Elementary and Secondary Education

Division: 70 Special Education

Chapter: 742 Special Education

Type of Rulemaking: Order of Rulemaking

Rule Number and Name: 5 CSR 70-742.141 Individuals with Disabilities Education Act,
Public Law 105-17, Part C

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Elementary & Secondary Education	\$2,267,839
Department of Health	\$4,191,868
Department of Mental Health	\$8,915,941
Department of Social Services	\$3,200,000

III. WORKSHEET

Cost estimates are based upon FY98 end of fiscal year data provided by collaborating state agencies. Funds represented here support early intervention services, training, technical assistance, and administrative costs for the First Steps system. Approximate total costs for all agencies affected: \$ 18,575,648

IV. ASSUMPTIONS

Costs presented are based upon FY00 end of year data. Costs are projected to rise during the two year period of implementation of the order of rulemaking due to increases in number of services provided and anticipated number of children and families served.

Sources of revenue for early intervention system as of July 1,2000:

Part C Federal Grant Award	\$6,715,166
General Revenue (DESE)	\$2,267,839
General Revenue (DOH)	\$ 40,000
General Revenue (DMH)	\$1,243,421
General Revenue (DOSS)	\$1,312,050 (state match for federal Medicaid dollars)
Medicaid (Federal only) (DOSS)	\$1,968,075
Total	\$13,546,551

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 2—Air Quality Standards and Air Pollution
Control Rules Specific to the Kansas City Metropolitan
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission rescinds a rule as follows:

10 CSR 10-2.030 Restriction of Emission of Particulate Matter From Industrial Processes **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2292). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 2—Air Quality Standards and Air Pollution
Control Rules Specific to the Kansas City Metropolitan
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission adopts a rule as follows:

10 CSR 10-2.205 Control of Emissions From Aerospace Manufacture and Rework Facilities **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2292–2297). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one written comment on the proposed rule from the Environmental Protection Agency (EPA).

COMMENT: The EPA commented that the department should add a definition for exempt solvent to section (2) of the proposed rule. RESPONSE: Section (2) of the proposed rule contains a reference to the general definition rule, 10 CSR 10-6.020, for certain terms specified in this rule. It is the Air Pollution Control Program's (APCP) intention that solvents or coatings that contain compounds listed in the exempt volatile organic compounds list be exempted from the proposed rule. Therefore, the APCP has not amended the proposed rule in response to this comment.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 3—Air Pollution Control Rules Specific to the
Outstate Missouri Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission rescinds a rule as follows:

10 CSR 10-3.050 Restriction of Emission of Particulate Matter From Industrial Processes **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2298). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 4—Air Quality Standards and Air Pollution
Control Regulations for the Springfield-Greene County
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission rescinds a rule as follows:

10 CSR 10-4.030 Restriction of Emissions of Particulate Matter From Industrial Processes **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2298). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission rescinds a rule as follows:

10 CSR 10-5.050 Restriction of Emission of Particulate Matter From Industrial Processes **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2298–2299). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 5—Air Quality Standards and Air Pollution
Control Rules Specific to the St. Louis Metropolitan
Area

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-5.375 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2299-2302). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Air Pollution Control Program (APCP) received four comments from the U.S. Environmental Protection Agency (EPA) and two comments from the American Automobile Association (AAA).

COMMENT: The EPA commented that this amendment introduces the term qualified repair technician without defining the term. Therefore, a definition should be included.

RESPONSE AND EXPLANATION OF CHANGE: The APCP agrees and has added definition language in section (2) in accordance with the APCP rule organization format. While adding this definition language, the APCP discovered other terms that need to be defined. Some minor rule language changes were made to reflect added definitions and to update the rule format.

COMMENT: The EPA commented that the current rule language indicates motorists must bring their vehicle to a state quality assurance/waiver facility to receive a waiver. However, in Franklin County, waivers are also issued at the emission inspection stations.

RESPONSE AND EXPLANATION OF CHANGE: The APCP agrees and has amended the language in paragraph (3)(A)2. and subsection (3)(C).

COMMENT: The EPA commented that the current rule language indicates waivers will only be issued by the department representative. However, waivers are also being issued by station managers and assistant station managers.

RESPONSE AND EXPLANATION OF CHANGE: The APCP agrees and has amended the language in subsection (3)(A) and added subsection (3)(D).

Due to similar concerns addressed in the following two comments, one response that addresses these concerns can be found at the end of these two comments.

COMMENT: The EPA commented that paragraph (2)(A)5. includes the words safety/emission inspection station. Because the emission inspection stations will not perform safety inspections, the word safety should be dropped from this paragraph.

COMMENT: The AAA commented that paragraph (2)(A)5. requires motorists to return to the original safety/emission inspection station. Since there aren't any safety/emission stations in Franklin County, the rule language should require motorists to return to the original emission inspection station.

RESPONSE AND EXPLANATION OF CHANGE: As a result of these two comments, the APCP has amended rule language in subsections (2)(A), (3)(A) and (3)(C) and added subsections (3)(D) and (3)(E) to clarify that motorists do not have to return to the original safety/emission inspection station to receive a vehicle

waiver. Motorists can go to any Franklin County emission inspection station or a state quality assurance/waiver facility, provided the vehicle was initially inspected at a Franklin County emission inspection station.

COMMENT: The AAA commented that, in the private entity fiscal note, assumptions three and four led to all but one of the repair technicians receiving ASE certification by the end of the Franklin County emission inspection program. Given the number of technicians in the St. Louis area and their percentage of ASE certification, a certification rate of 30% would be a good projection.

RESPONSE AND EXPLANATION OF CHANGE: As a result of this comment, the APCP has revised the private entity fiscal note cost estimate. To assure that the cost of this rulemaking is not underestimated, the third and fourth assumptions have been revised to 30% of repair technicians obtaining ASE certification in the first year, with an additional 5% every year thereafter. As a result of these changes, the reference note at the end of the fiscal note no longer applies and has been removed.

10 CSR 10-5.375 Motor Vehicle Emission Inspection Waiver

(2) Definitions.

(A) Initial emission inspection—An inspection consisting of the test series that occurs the first time a vehicle is inspected in an inspection cycle at a Franklin County emission inspection station. The required test fee is collected upon an initial emission inspection.

(B) Qualifying repair—Any repair or adjustment performed on a vehicle's emission control system after failing an initial emission inspection that is appropriate to the test failure.

(C) Qualified repair technician—any person who—

1. Is professionally engaged in vehicle repair or employed by an ongoing business whose purpose is vehicle repair; and

2. Has valid certifications in National Institute for Automotive Service Excellence (ASE) Electrical Systems (A6) and Engine Performance (A8).

(D) Qualified labor costs—The labor costs that a qualified repair technician charges for services rendered to a vehicle that fails its emission inspection.

(E) Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.

(3) General Provisions.

(A) A vehicle which has failed an emission reinspection will be issued a waiver under the following conditions:

1. The subject vehicle has failed the initial emission inspection, has had qualifying repairs, and has failed an emission reinspection;

2. The vehicle operator has taken the vehicle to an emission inspection station in Franklin County or a state quality assurance/waiver facility and presented to the station manager, the assistant station manager, or the department representative the emission analyzer computer generated State of Missouri Vehicle Inspection Certificate, stating that the vehicle presented has failed the initial emission inspection and all subsequent emission reinspections;

3. The vehicle operator has presented to the station manager, the assistant station manager, or the department representative all itemized receipts of qualifying repairs; and

4. The station manager, the assistant station manager, or the department representative has, to the extent practical, visually verified that repairs were made and parts were repaired/replaced as claimed.

(B) The amount spent on qualifying repairs shall—

1. Not be less than seventy-five dollars (\$75) for pre-1981 model year vehicles;

2. Not be less than two hundred dollars (\$200) for 1981 and all subsequent model year vehicles;

3. Be inclusive of parts and/or labor costs paid for repair services, where applicable. Qualified labor costs shall be applied toward a waiver. For qualifying repairs performed by someone other than a qualified repair technician, parts costs, but not labor costs, shall be applied toward a waiver;

4. Not include the fee for an emission inspection;

5. Not include charges for obtaining a written estimate of needed repairs;

6. Not include charges for checking for the presence of emission control devices;

7. Not include costs for repairs performed on the vehicle before the initial emission inspection failure;

8. Not include expenses which are incurred for the repair of emission control devices which have been found to be tampered with, rendered inoperative, or removed; and

9. Not include costs for emissions repairs or adjustments covered by an automobile manufacturer's warranty, insurance policy, or contractual maintenance agreement. The emissions repair costs covered by warranty, insurance, or maintenance agreements shall be separated from other emissions repair costs and shall not be applied toward the waiver cost limitations. The operator of a vehicle within the statutory age and mileage coverage under subsection 207(b) of the federal Clean Air Act shall present from the manufacturer or authorized dealer a written denial of warranty coverage, with a complete explanation, in order for this provision to be waived.

(C) The vehicle operator shall present the original of all itemized repair receipts at an emission inspection station in Franklin County or a state quality assurance/waiver facility to demonstrate compliance with the qualifying dollar amount. The itemized repair receipts shall—

1. Include the name, address, and phone number of the repair facility;

2. Describe the repairs that were performed;

3. State the labor costs (where applicable) and parts costs for each repair; and

4. Include the name (printed or typed), signature and if applicable the qualified repair technician ID number of the repair technician that performed the repair work.

(D) A waiver affidavit/authorization will be issued by the station manager, the assistant station manager, or the department representative upon determination that the sum of all repair costs as determined from itemized receipts for parts repaired/replaced and/or for qualified labor costs meet the established limits according to subsection (3)(B) of this rule.

(E) If the conditions of subsections (3)(A)–(3)(D) of this rule have been met, the station manager, the assistant station manager, or the department representative shall affix the emission sticker to the vehicle.

(4) Reporting and Record Keeping. *(Not Applicable)*

(5) Test Methods. *(Not Applicable)*

**REVISED FISCAL NOTE
PRIVATE ENTITY COST****II. RULE NUMBER**Title: 10 - Department of Natural ResourcesDivision: 10 - Air Conservation CommissionChapter: 5 - Air Quality Standards and Air Pollution Control Rules Specific to the St. Louis Metropolitan AreaType of Rulemaking: Proposed AmendmentRule Number and Name: 10 CSR 10-5.375 - Motor Vehicle Emission Inspection Waiver**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
252	Franklin County Automobile Repair Technicians	\$11,016

III. WORKSHEET

YEAR	# OF REPAIR TECHNICIANS	# OF ASE CERTIFICATIONS	COST OF CERTIFICATION
2000	287	86	\$ 5,848
2001	292	10	\$ 680
2002	297	10	\$ 680
2003	302	10	\$ 680
2004	307	10	\$ 680
2005	313	9	\$ 612
2006	318	9	\$ 612
2007	324	9	\$ 612
2008	329	9	\$ 612
TOTAL		162	\$11,016

IV. ASSUMPTIONS

1. In 1990 the U.S. census showed 242 automobile repair technicians in Franklin county.
2. Assume that the repair technician's growth is the same as the population's growth rate, which is approximately 1.725% a year.
3. Assume that during the first year of the program 30% of the repair technicians will get ASE certifications.
4. Assume that every year after the first year an additional 5% will get ASE certifications.
7. The current ASE testing fee for A6 and A8 is \$68 dollars and is assumed to be the same for the life of the rule.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions,
Sampling and Reference Methods and Air Pollution
Control Regulations for the Entire State of Missouri

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

10 CSR 10-6.120 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2303-2306). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Air Pollution Control Program (APCP) received two comments from the U.S. Environmental Protection Agency (EPA), Region VII and one comment from the Ozark Chapter of the Sierra Club.

COMMENT: The EPA commented that the rule must include stack emission limits that reflect the emission rates used in the attainment demonstration modeling for the main stack, as well as the two additional stacks serving Number 7 & 9 Baghouses and Number 8 Baghouse.

RESPONSE AND EXPLANATION OF CHANGE: The APCP agrees and has added emission limits in subsection (2)(B) for these stacks that will be new to the facility as part of the overall emission control strategy.

COMMENT: The Ozark Chapter of the Sierra Club commented that the proposed amendment would allow greater emissions of lead from the main stack of the smelter, from 446.6 to 1361.9 pounds per 24 hour period. This increase is unacceptable and is a violation of federal law. The company must be held to the current level or lower. In addition, the EPA commented that this 1361.9 pounds per 24 hour emission limit is higher than that allowed by the Primary Lead Smelter Maximum Achievable Control Technology (MACT) Standard (40 CFR, Part 63, Subpart TTT).

RESPONSE AND EXPLANATION OF CHANGE: When conducting the air quality analysis, the APCP chose to simulate greater than expected emissions from this source. This was done in an effort to be more conservative and model more emissions than are expected to occur. It was also done to examine the dispersion characteristics of this tall source and to evaluate its impact at some distance from the plant. For any calendar quarter the highest predicted impact at any receptor from the main stack, emitting at the originally modeled rate of 1361.9 pounds of lead per 24 hours, was 0.14863 micrograms per cubic meter. This is less than ten percent of the National Ambient Air Quality Standard for lead. The modeling was also reviewed to determine the main stack's contribution to the highest receptor, the location and calendar quarter at which the model predicted the highest overall lead concentrations. The model predicted this concentration as 1.456 micrograms per cubic meter. The main stack contributed less than 0.0001 micrograms per cubic meter at this location.

The APCP agrees that the proposed main stack emission limit is less stringent than the one proposed in the Primary Lead Smelter MACT Standard (40 CFR Part 63, Subpart TTT), which was recently adopted by the Missouri Air Conservation Commission (10 CSR 10-6.075, effective December 30, 2000). The form of the MACT standard is quite different from the traditional pounds of

emissions per 24 hour basis. In the MACT standard the aggregated lead emissions from the air pollution devices for the following processes are limited to 500 g/Mg of lead produced (1.0 lb/ton of lead produced): (1) Sinter machine; (2) Blast furnace; (3) Dross furnace; (4) Dross furnace charging location; (5) Blast and dross furnace tapping locations; (6) Sinter machine charging location; (7) Sinter machine discharge end; (8) Sinter crushing and sizing equipment; and (9) Sinter machine area. This form provides a sliding limitation that is based on production, not simply an emission rate.

Using this method of considering all of the controlled emissions, a calculation of the main stack emission rate was made such that the rate would be in compliance with the Primary Lead MACT. This calculation was based on a) the highest 12 months of production over the last 35 months, b) an average copper dross production rate, c) an assumed seven day down period for annual shutdown, and d) a ten percent normal variation. This calculation yielded a maximum emission rate of 794 pounds of lead per day, and this rate was incorporated into the revised attainment demonstration.

In addition, for the attainment demonstration the main stack was modeled using EPA's Good Engineering Practice stack height, which for this stack was 315 feet. The actual stack height is 550 feet, which will introduce even more dispersion than the model considered. This adds another layer of conservatism into the model.

It is important to note emissions are not expected to significantly increase from the main stack, only that the allowable emission limit is increasing. Nevertheless, the APCP understands that the proposed amendment made it appear that emissions from the main stack would nearly triple. To solve this misunderstanding, language in the rule was changed to make the main stack emission limit congruent with the limitation in the MACT standard. On a pounds per 24 hour basis the new limit will be 794 pounds per 24 hours, as based on the calculation discussed above.

It is also important to note that the overall emission reductions expected as a result of this control strategy is approximately 60 tons of lead per year.

10 CSR 10-6.120 Restriction of Emissions of Lead From Specific Lead Smelter-Refinery Installations

(2) Provisions Pertaining to Limitations of Lead Emissions from Specific Installations.

(B) Doe Run Primary Lead Smelter-Refinery in Herculaneum, Missouri. This installation shall limit lead emissions into the atmosphere to the allowable amount as shown in Table II.

Table II

Stack Name	Emissions Limitation
	(lbs per 24 hours)
Main Stack	794.0
Number 7 & 9 Baghouse Stack	56.6
Number 8 Baghouse Stack	8.2

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 1—General Organization

ORDER OF RULEMAKING

By the authority vested in the Adjutant General under section 41.214, RSMo 2000, the director adopts a rule as follows:

11 CSR 10-1.020 Missouri National Guard Trust Fund
is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 16, 2000 (25 MoReg 2528). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 5—Missouri World War II Veterans’
Recognition Program**

ORDER OF RULEMAKING

By the authority vested in the Adjutant General under section 42.175, RSMo 2000, the director adopts a rule as follows:

11 CSR 10-5.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 16, 2000 (25 MoReg 2528–2530). No comments were received. Those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period. However, in response to review by the adjutant general staff three changes were made to the rule. The language of the rule was amended to alphabetize the definitions in section 11 CSR 10-5.010(1); correct the participation dates for the “D-Day” Invasion of Europe in section 11 CSR 10-5.010(1)(F); and correct a typographical error in section 11 CSR 10-5.010(4)(A).

11 CSR 10-5.010 Missouri World War II Veterans’ Recognition Program

(1) Definitions as used in this rule, unless the context clearly indicates otherwise, the following terms shall mean:

(A) Adjutant General—As defined in Chapter 41, *Revised Statutes of Missouri*, section 41.110 and all amendments thereto;

(B) Appropriate service records—Military records documenting the honorable service of a veteran in the armed forces of the United States eligibility for awards authorized under the Missouri World War II Recognition Program. A Department of Defense DD-214 or other document acceptable to the Adjutant General;

(C) Active service—As defined in Title 10, section 101 of the *United States Code* and all amendments thereto;

(D) Consanguinity—Of the closest blood relation;

(E) Certificate—A document containing a certified statement as to the truth that one has fulfilled the requirement for award or recognition;

(F) “D-Day” Invasion of Europe Veteran—Members of the Army, Navy, Coast Guard, Army Air Corps, Marines, or Merchant Marines who participated in the Battle of Normandy between June 6, 1944, and September 30, 1944;

(G) Director World War II Veterans’ and “D-Day” Invasion of Europe Recognition Program—Person designated by the Adjutant General to administer the World War II Veterans’ Recognition Program;

(H) Discharge—A certification of release from military service or duty;

(I) Eligible World War II veteran—Any person defined as a veteran by the United States Department of Veterans Affairs, who

honorably served on active duty in the United States military service at anytime beginning December 7, 1941 and ending September 30, 1945 provided 1) that such veteran was a legal resident of the state of Missouri on August 28, 2000 and 2) such veteran was honorably separated or discharged from military service or is still in active service in honorable status;

(J) Honorably separated—The release from military service or duty under honorable conditions;

(K) Honorable status—Attesting to creditable conduct while serving on active duty in the military;

(L) Intestate survivor—The survivor of a World War II veteran who has died without a will;

(M) Jubilee of Liberty Medal—A medal created by the Regional Council of Normandy, France, in 1994 to commemorate the 50th anniversary of the June 6, 1944, “D-Day” invasion of Europe;

(N) Legal resident—A person (veteran) whose official United States mailing address is within the boundaries of the state of Missouri;

(O) Medal—A small object usually metal in nature bearing an emblem or picture that is issued to commemorate a person’s participation in an event or is awarded for excellence or achievement;

(P) Medallion—An object or coin, usually round or oval in shape, resembling a medal;

(Q) Replica—A close reproduction or facsimile of the original;

(R) Veteran—Any person defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency;

(S) Veterans Commission—The commission created by section 42.007, RSMo;

(T) World War II—The World War beginning December 7, 1941, and ending September 30, 1945;

(U) World War II Veterans’ Recognition Award Fund—As defined in section 42.195, RSMo, consisting of gifts, bequests, and donations to be administered by the Adjutant General.

(4) To be eligible for the World War II Veterans’ Recognition Awards, the veteran must:

(A) Have served on active duty in the United States military service at anytime beginning December 7, 1941, and ending September 30, 1945;

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 5—Missouri World War II Veterans’
Recognition Program**

ORDER OF RULEMAKING

By the authority vested in the Adjutant General under section 42.185, RSMo 2000, the director adopts a rule as follows:

**11 CSR 10-5.015 World War II Veterans’ Recognition Award
Fund is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 16, 2000 (25 MoReg 2531). No changes have been made in the text of the proposed rule, so it is not reprinted here. However, the word “Missouri” was added to the Chapter title. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

ORDER OF RULEMAKING

By the authority vested in the superintendent of the Missouri State Highway Patrol under section 307.360, RSMo 2000, the superintendent hereby amends a rule as follows:

11 CSR 50-2.200 Steering Mechanisms is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 16, 2000 (25 MoReg 2531). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

ORDER OF RULEMAKING

By the authority vested in the superintendent of the Missouri State Highway Patrol under section 307.360, RSMo 2000, the superintendent hereby amends a rule as follows:

11 CSR 50-2.270 Glazing (Glass) is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 16, 2000 (25 MoReg 2531–2532). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

ORDER OF RULEMAKING

By the authority vested in the superintendent of the Missouri State Highway Patrol under sections 307.360.2 and 307.375, RSMo 2000, the superintendent hereby amends a rule as follows:

11 CSR 50-2.320 School Bus Inspection is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 16, 2000 (25 MoReg 2532). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

ORDER OF RULEMAKING

By the authority vested in the superintendent of the Missouri State Highway Patrol under section 307.360, RSMo 2000, the superintendent hereby amends a rule as follows:

11 CSR 50-2.330 Motorcycle Inspection is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 16, 2000 (25 MoReg 2532). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 75—Peace Officer Standards and Training
Program
Chapter 3—Certification of Bailiffs, Peace Officers,
and Reserve Officers**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under sections 590.115 and 590.140, RSMo 2000, the director amends a rule as follows:

11 CSR 75-3.030 Requirements for and Terms of Certification is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2645–2646). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.028 Construction Contractors is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2646). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.030 Construction Aggregate is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2646). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.032 Fabrication or Processing of Tangible Personal Property is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2647). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.102 Sheet Metal, Iron and Cabinet Works is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2647). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.212 Rooms, Meals and Drinks is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2647). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.214 Complimentary Rooms, Meals and Drinks is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2647). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.216 Permanent Resident Defined is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2648). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.218 Students is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2648). No changes have been made in the proposed

rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.220 Sales of Accommodations to Exempt Organizations is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2648). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.472 General Bond Examples is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2648). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.474 Computing a Bond is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2649). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.476 Replacing or Applying for Return of Bond is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2649). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.478 Bond Descriptions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2649). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.479 Replacement of Bonds Issued by Suspended Surety Companies is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2649). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.842 Surety Companies—Remittance Requirements is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2650). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.844 Letters of Credit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2650). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 144.087 and 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.878 Certificate of Deposit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2650). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-3.898 Non-Reusable and Reusable Items is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2650). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 4—State Use Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.705, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-4.070 Use Tax License Necessary is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2650-2651). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 4—State Use Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under section 144.705, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-4.075 Sales to Contractors is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2651). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 4—State Use Tax****ORDER OF RULEMAKING**

By the authority vested in the director of revenue under sections 144.625 and 144.705, RSMo 2000, the director rescinds a rule as follows:

12 CSR 10-4.632 Certificate of Deposit—Use Tax is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2651). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission

becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 103—Sales/Use Tax—Imposition of Tax

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 144.270 and 144.705, RSMo 2000, the director adopts a rule as follows:

12 CSR 10-103.220 Resale is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2651–2652). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 103—Sales/Use Tax—Imposition of Tax

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director adopts a rule as follows:

12 CSR 10-103.700 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2422). Changes have been made in the text of the proposed rule, and those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received two letters of comment on this proposed rule.

COMMENT: The commenters suggested making a broader statement regarding purchased or leased packaging materials, especially pallets.

RESPONSE AND EXPLANATION OF CHANGE: The department agrees with the commenters suggestions, and subsections (3)(A), (4)(D) and (4)(E) have been modified to address the issues of leased material and the impact of the right to use the material.

12 CSR 10-103.700 Packaging and Shipping Materials

(3) Basic Application of Tax.

(A) The purchase of packaging and shipping materials are taxable if:

1. The packaging is used solely “in house” by the seller and is not subsequently transferred to a purchaser;

2. The packaging material must be returned to the seller and the customer does not acquire title to, ownership of or the right to use the packaging material;

3. The packaging is transferred incidental to the rendering of a non-taxable service, such as with the sale of custom software or color separations; or

4. The packaging is used to ship items that are being transferred as gifts or free samples.

(4) Examples.

(D) A taxpayer purchases or leases pallets that will be used to ship merchandise to its customers. The customer is required to return the pallet and never acquires title to, ownership of or the right to use them. The purchase or lease of the pallets is taxable.

(E) A taxpayer purchases or leases pallets that will be used to ship merchandise to its customers. The customer is required to return the pallet, but does have the right to use the pallet until it is returned. If there is consideration paid for the use of the pallet, the purchase or lease of the pallets is not taxable.

Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 110—Sales/Use Tax—Exemptions

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 2000, the director adopts a rule as follows:

12 CSR 10-110.200 Ingredient or Component Part Exemption is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2423–2424). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The commenter suggested the definition of steel product include steel items that are welded together.

RESPONSE: The department considered this position, but did not expand the definition to include this suggestion.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.010 Definition of Terms is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2425–2427). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.040 State Plan is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2427–2428). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.080 Withdrawal of Designation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2428). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.090 Appeal to the Assistant Secretary is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2428). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.100 Area Agency Governing Body is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2428–2429). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.105 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2429–2430). Those sections with changes are reprinted below. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received from outside organizations, however, the division's legal counsel felt that one clarification needed to be made.

COMMENT: It was felt that section (6) needed to specify the range of hours that a polling location could be open for voting purposes.

RESPONSE AND EXPLANATION OF CHANGE: The division will specify the range of hours that a polling location may be open.

13 CSR 15-4.105 Area Agency Election Procedures for Governing Body Membership

(6) Polling places shall be open for voting at least six (6) consecutive hours, with provisions for persons with special needs, including optional absentee voting. Polling locations shall not be open earlier than 6:00 a.m., nor stay open any later than 7:00 p.m.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.135 Area Agency Director is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2430). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.140 Area Agency Plan is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2430). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.150 Waivers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2430–2431). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.160 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2431). The section with changes is reprinted below. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received; however, a word was incorrectly used in the context of a sentence in section (1).

RESPONSE AND EXPLANATION OF CHANGE: The word their was incorrectly used in the context of a sentence. It will be changed to the word its.

13 CSR 15-4.160 Review, Submission and Approval of Area Agency Area Plans and Plan Amendments

(1) Where not covered by charter or established governmental procedures the following shall apply. The area agency shall submit the area plan and any plan amendments for review and approval by the area agency's governing body. The area agency shall obtain signed documentation stating that the area plan and annual updates have been approved by the governing body. The area agency shall also submit the area plan and annual updates to its advisory council for review and comment prior to transmittal to the state unit on aging as required by 45 CFR 1321.57. The area agency shall comply with the Missouri state and local review process.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.170 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2431–2432). Those sections with changes are reprinted below. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received from outside organizations, however, the division's legal counsel felt the words "qualifying cash" was too vague.

RESPONSE AND EXPLANATION OF CHANGE: The words "qualifying cash" will be deleted and replaced with a better explanation of what type of funds may be used as match.

13 CSR 15-4.170 Area Agency Fiscal Management

(6) Nonfederal matching requirements shall be met by the area agency on the aggregate net cost of social and nutrition services and administration under Title III. Further requirements are as follows:

(A) The nonfederal match shall be in the form of allowable costs of third-party in-kind contributions or funds which are from a non-federal source and which are not used as match for any other federal program;

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.175 Funding Acquisition or Construction of Multipurpose Senior Centers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2432). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.190 Area Agency Development of a Comprehensive and Coordinated Service Delivery System is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2432-2433). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.200 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2433). Those sections with changes are reprinted below. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received from outside organizations, however, the division's legal counsel felt a further qualifying statement should be added to subsection (3)(A).

RESPONSE AND EXPLANATION OF CHANGE: The words the contract shall be let to the lowest and best bidder shall be added as a further qualifying statement when reviewing and awarding bids.

13 CSR 15-4.200 Area Agency Subgrants or Contracts

(3) The area agency shall submit, for the division's prior approval, any proposed contracts with profit-making organizations for the provision of services under the area plan as required by section 212 of the Act. The area agency is not required to submit to the division for prior approval any proposed subgrants or contracts with public or private nonprofit agencies or organizations.

(A) In addition to complying with all applicable federal procurement practices, all purchases shall be based on competitive bids, except that the area agency may make purchases of less than two thousand dollars (\$2,000) in value on the open market. On any purchases estimated at ten thousand dollars (\$10,000) or more the agency shall advertise for bids in at least two (2) newspapers of general circulation in such places as are most likely to reach prospective bidders at least fourteen (14) days before bids are to be opened. The agency shall also solicit bids by mail from at least three (3) prospective suppliers on purchases of ten thousand dollars (\$10,000) or more. For purchases of more than two thousand dollars (\$2,000) but less than ten thousand dollars (\$10,000) bids must be solicited and documented, but advertising or direct mailings are not required. The contract shall be let to the lowest and best bidder.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.230 Multipurpose Senior Center is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2434). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.270 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2434). Those sections with changes are reprinted below. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received from outside organizations; however, a reference to the *Code of Federal Regulations* was incorrectly identified as a part instead of a section.

RESPONSE AND EXPLANATION OF CHANGE: The word part will be replaced by the word section.

13 CSR 15-4.270 Legal Assistance

(8) Providers shall adopt procedures and forms to document that the legislative and administrative activities in which they engage fall within the activities permitted in 45 CFR section 1321.71.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.290 Information and Assistance is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2434). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

**13 CSR 15-4.300 Record Keeping and Confidentiality
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2434–2435). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 4—Older Americans Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-4.310 Corporate Eldercare is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2435). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 7—Service Standards**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-7.010 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2435–2436). Those sections with changes are reprinted below. This amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received from outside organizations, however, the division's legal counsel felt the citation where the ADA regulations could be found should be included. She also felt that under section (15)(C) a system could not be established without being implemented.

RESPONSE AND EXPLANATION OF CHANGE: The citation for the ADA rules shall be included in section (14) and the wording and implement will be included in section (15)(C).

13 CSR 15-7.010 General Requirements for All Service Providers

(14) Service providers shall implement the provisions of the Americans with Disabilities Act (ADA) of 1990 (PL 101-336) which prohibits discrimination against people with disabilities to include:

(15) Procedures for handling contributions shall be developed and implemented that include the following:

(C) Establish and implement a system of internal control that ensures all contributions received are fully and accurately recorded, deposited, accounted for, and reported to the area agency.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 15—Division of Aging
Chapter 7—Service Standards**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-7.040 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on

October 2, 2000 (25 MoReg 2436–2438). Those sections with changes are reprinted below. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received from outside organizations; however, the division's legal counsel felt that under subsection (2)(C) a copy of both a chauffeur's license and/or regular license should be included as documentation.

RESPONSE AND EXPLANATION OF CHANGE: The words "driver's license" will be added to the section, so that documentation shall include both a chauffeur's license and/or regular license.

13 CSR 15-7.040 Transportation Service Standards

(2) A driver is any individual engaged in the operation of a motor vehicle providing transportation services to persons over age 60 and/or disabled between the ages of 18 and 59; and whose sponsoring agency and/or employer is a recipient of funding through the Division of Aging and/or an area agency on aging. Documentation shall be maintained by the service provider, on each driver, that includes:

(C) A copy of the driver's valid and current chauffeur's license and/or driver's license; and

Title 13—DEPARTMENT OF SOCIAL SERVICES

Division 15—Division of Aging

Chapter 7—Service Standards

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Aging under section 660.050, RSMo 2000, the director hereby amends a rule as follows:

13 CSR 15-7.050 Information and Assistance Service Standards is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 2, 2000 (25 MoReg 2438–2439). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: There were no comments received.

Title 15—ELECTED OFFICIALS

Division 60—Attorney General

Chapter 10—Reporting of Motor Vehicle Stops by Law Enforcement Agencies

ORDER OF RULEMAKING

By the authority vested in the Attorney General under section 590.650, RSMo 2000, the Attorney General adopts a rule as follows:

15 CSR 60-10.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2312). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed

rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS

Division 60—Attorney General

Chapter 10—Reporting of Motor Vehicle Stops by Law Enforcement Agencies

ORDER OF RULEMAKING

By the authority vested in the Attorney General under section 590.650, RSMo 2000, the Attorney General adopts a rule as follows:

15 CSR 60-10.020 Report to Attorney General by Law Enforcement Agencies is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2312–2313). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 15—ELECTED OFFICIALS

Division 60—Attorney General

Chapter 10—Reporting of Motor Vehicle Stops by Law Enforcement Agencies

ORDER OF RULEMAKING

By the authority vested in the Attorney General under section 590.650, RSMo 2000, the Attorney General adopts a rule as follows:

15 CSR 60-10.030 Reporting Forms is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on September 15, 2000 (25 MoReg 2313–2317). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 1—Organization and Operation of Board of Directors

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-1.010 General Organization is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2652). No changes have been made

in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 1—Organization and Operation
of Board of Directors

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-1.020 Appeal Process is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2653). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 1—Organization and Operation
of Board of Directors

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-1.030 Open Records Policy is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2653). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-2.010 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2653). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.010 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2653–2655). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-2.020 Payroll Contributions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2655). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.020 Employee Contributions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2656). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 2—Membership

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-2.030 Eligibility for Benefits is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2656). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.030 Eligibility and Participation is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2656–2657). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 2—Membership

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-2.035 Timing of Applications and Benefit Start Date is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2657). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.035 Payment of Benefits is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2657–2659). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 2—Membership

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-2.040 Refund of Contributions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2659). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

Division 50—The County Employees' Retirement Fund Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.040 Separation from Service Before Retirement is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2659). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

**Division 50—The County Employees' Retirement Fund
Chapter 2—Membership**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-2.050 Certification of Employment and Salary is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2659–2660). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

**Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.050 Certifying Service and Compensation is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2660). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

**Division 50—The County Employees' Retirement Fund
Chapter 2—Membership**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-2.060 Survivorship Rights and Service Requirements is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2660). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

**Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.080 Source of Pension Funds is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2660–2661). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

**Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.090 Normal Retirement Benefit is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2661–2662). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS

**Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.100 Early Retirement Benefit is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2662). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.110 Rehires is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2662). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.120 Benefits Upon Participant's Death is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2662–2663). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.130 Direct Rollover Option is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2663). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.140 Cost-of-Living Adjustment is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2664). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.150 Transition Rules and Effective Date is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2664–2665). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-2.160 Administration of Fund is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2666). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-3.010 Calculation of Creditable Service is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2666). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board adopts a rule as follows:

16 CSR 50-3.010 Creditable Service is adopted.

A notice of the proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2666-2667). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after the publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-3.020 Purchase of Prior Creditable Service is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2667). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-3.030 Buyback of Prior Creditable Service Following Opt-Out by Member is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2667-2668). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-3.040 Buyback of Prior Creditable Service Earned Before Creation of Retirement System is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2668). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service**

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-3.050 Buyback of Prior Creditable Service Following Forfeiture of Creditable Service **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2668). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-3.060 Buyback by a Special Consultant to the Board **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2668–2669). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-3.070 Refund of Buybacks **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2669). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-3.080 Changes in Buyback When a Retiree Returns to Employment with the County **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2669). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 3—Creditable Service

ORDER OF RULEMAKING

By the authority vested in the board of the County Employees' Retirement Fund under section 50.1032, RSMo 2000, the board rescinds a rule as follows:

16 CSR 50-3.090 Early Buyback of Prior Creditable Service **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on November 1, 2000 (25 MoReg 2669). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 100—Division of Credit Unions**

**ACTIONS TAKEN ON
APPLICATIONS FOR NEW GROUPS OR
GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to 370.080(2), RSMo 2000.

Credit Union	Proposed New Group or Geographic Area
Missouri Electric Cooperatives Employees' Credit Union 2722 E. McCarty Jefferson City, MO 65102	Immediate family members of active, retired, or deceased employees are to be eligible.
Kansas City Credit Union 414 E. 12th Street, 9th Floor Kansas City, MO 64106	Missouri zip codes 64106, 64108, 64118, 64119, 64128, 64129 and 64130.
Educational Employees Credit Union 4020 Fee Fee Road Bridgeton, MO 63044	Those people who live or work in St. Louis County, St. Charles County, Jefferson County, Cape Girardeau County and Franklin County.
Gateway Metro Credit Union 1001 Pine Street St. Louis, MO 63101	Anyone living or working in the Missouri counties of St. Louis, St. Charles and Jefferson.

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, PO Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: <http://www.state.mo.us/oa/purch/purch.htm>. Prospective bidders may receive specifications upon request.

B1E01176 Transmissions 2/16/01;
B2Z01029 Micrographic Supplies 2/16/01;
B3Z01151 ABA Intensive Discrete Trial Training 2/16/01;
B1E01171 Tractor: Crawler Dozer 2/19/01;
B1E01271 Vehicle: 48-Passenger Bus 2/20/01;
B2Z01020 Trauma Registry Software 2/20/01;
B3E01118 Water Treatment Services 2/21/01;
B3E01140 Video Duplication Services 2/21/01;
B1E01223 Electronic Total Station Upgrades 2/23/01;
B3Z01142 Janitorial Services 2/23/01;
B3Z01134 Actuarial Services 2/26/01;
B3Z01154 External Quality Review 2/27/01;
B1E01259 Equipment: Grounds Care 2/28/01.

It is the intent of the state of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

Technical Assistance and Training Services, supplied by National Development Council, New York, NY.

Joyce Murphy, CPPO,
Director of Purchasing

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—24 (1999), 25 (2000) and 26 (2001). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				23 MoReg 2473
	.....				24 MoReg 2535
	.....				25 MoReg 2478
1 CSR 10-15.010	Commission of Administration	26 MoReg 103			
1 CSR 15-2.200	Administrative Hearing Commission		This Issue		
1 CSR 15-2.290	Administrative Hearing Commission		This Issue		
1 CSR 15-2.450	Administrative Hearing Commission		This Issue		
1 CSR 15-2.560	Administrative Hearing Commission		This Issue		
1 CSR 15-3.200	Administrative Hearing Commission		This Issue		
1 CSR 15-3.210	Administrative Hearing Commission		This Issue		
1 CSR 15-3.290	Administrative Hearing Commission		This Issue		
1 CSR 15-3.320	Administrative Hearing Commission		This Issue		
1 CSR 15-3.350	Administrative Hearing Commission		This Issue		
1 CSR 15-3.380	Administrative Hearing Commission		This Issue		
1 CSR 15-3.450	Administrative Hearing Commission		This Issue		
1 CSR 15-3.490	Administrative Hearing Commission		This Issue		
1 CSR 15-3.560	Administrative Hearing Commission		This Issue		
1 CSR 15-5.210	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.230	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.250	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.270	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.290	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.320	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.350	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.380	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.390	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.410	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.420	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.430	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.450	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.470	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.480	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.490	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.510	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.530	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.560	Administrative Hearing Commission		This IssueR		
1 CSR 15-5.580	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.210	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.230	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.250	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.270	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.290	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.320	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.350	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.380	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.390	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.410	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.420	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.430	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.450	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.470	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.480	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.490	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.510	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.530	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.560	Administrative Hearing Commission		This IssueR		
1 CSR 15-6.580	Administrative Hearing Commission		This IssueR		
1 CSR 20-5.010	Personnel Advisory Board and Division of Personnel			25 MoReg 2872	
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel			25 MoReg 2872	
1 CSR 20-6.010	Personnel Advisory Board and Division of Personnel			25 MoReg 2873	
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development	24 MoReg 2269			
2 CSR 30-10.010	Animal Health	26 MoReg 5	25 MoReg 2515	.....	26 MoReg 346
2 CSR 70-13.030	Plant Industries		25 MoReg 2370		
2 CSR 90-21.060	Weights and Measures		25 MoReg 2788		
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.111	Conservation Commission		26 MoReg 319		
3 CSR 10-4.115	Conservation Commission		26 MoReg 319		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-7.455	Conservation Commission		25 MoReg 2214	25 MoReg 2735	
	.....		N.A.	26 MoReg 60	26 MoReg 75
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 10-2.085	Missouri State Board of Accountancy		25 MoReg 2373R	26 MoReg 281R	
4 CSR 10-2.090	Missouri State Board of Accountancy		25 MoReg 2373R	26 MoReg 281R	
4 CSR 10-2.095	Missouri State Board of Accountancy		25 MoReg 2373	26 MoReg 281	
4 CSR 15-1.010	Acupuncturist Advisory Committee		25 MoReg 2374		
4 CSR 15-1.020	Acupuncturist Advisory Committee		25 MoReg 2375		
4 CSR 15-1.030	Acupuncturist Advisory Committee		25 MoReg 2375		
4 CSR 15-1.040	Acupuncturist Advisory Committee		25 MoReg 2379		
4 CSR 15-2.010	Acupuncturist Advisory Committee		25 MoReg 2379		
4 CSR 15-2.020	Acupuncturist Advisory Committee		25 MoReg 2384		
4 CSR 15-2.030	Acupuncturist Advisory Committee		25 MoReg 2388		
4 CSR 15-2.040	Acupuncturist Advisory Committee		25 MoReg 2392		
4 CSR 15-3.010	Acupuncturist Advisory Committee		25 MoReg 2392		
4 CSR 15-3.020	Acupuncturist Advisory Committee		25 MoReg 2395		
4 CSR 15-3.030	Acupuncturist Advisory Committee		25 MoReg 2395		
4 CSR 15-4.010	Acupuncturist Advisory Committee		25 MoReg 2396		
4 CSR 15-4.020	Acupuncturist Advisory Committee		25 MoReg 2397		
4 CSR 15-5.010	Acupuncturist Advisory Committee		25 MoReg 2397		
4 CSR 15-5.020	Acupuncturist Advisory Committee		25 MoReg 2401		
4 CSR 30-6.015	Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 12		
4 CSR 30-6.020	Architects, Professional Engineers and Professional Land Surveyors		26 MoReg 17		
4 CSR 40-1.021	Office of Athletics	21 MoReg 2680			
4 CSR 40-5.070	Office of Athletics	21 MoReg 1963			
4 CSR 60-1.025	State Board of Barber Examiners		26 MoReg 20		
4 CSR 60-1.030	State Board of Barber Examiners		26 MoReg 22		
4 CSR 60-4.015	State Board of Barber Examiners		26 MoReg 24		
4 CSR 90-7.010	State Board of Cosmetology		26 MoReg 322R		
	.....		26 MoReg 322		
4 CSR 90-11.010	State Board of Cosmetology		26 MoReg 328		
4 CSR 90-13.010	State Board of Cosmetology		26 MoReg 24		
4 CSR 100	Division of Credit Unions				25 MoReg 2914
	.....				25 MoReg 2914
	.....				26 MoReg 291
	.....				This Issue
4 CSR 100-2.045	Division of Credit Unions		25 MoReg 2877		
4 CSR 100-2.185	Division of Credit Unions		26 MoReg 174		
4 CSR 100-2.220	Division of Credit Unions		26 MoReg 174		
4 CSR 120-2.100	Board of Embalmers and Funeral Directors		25 MoReg 2404	26 MoReg 281	
4 CSR 140-2.070	Division of Finance		26 MoReg 328		
4 CSR 140-2.138	Division of Finance		26 MoReg 328		
4 CSR 140-6.085	Division of Finance		26 MoReg 329		
4 CSR 150-3.010	State Board of Registration for the Healing Arts		25 MoReg 2406	26 MoReg 282	
4 CSR 150-3.060	State Board of Registration for the Healing Arts		25 MoReg 2515	26 MoReg 346	
4 CSR 150-3.080	State Board of Registration for the Healing Arts		25 MoReg 2516	26 MoReg 346	
4 CSR 150-3.170	State Board of Registration for the Healing Arts		25 MoReg 2518	26 MoReg 346	
4 CSR 150-3.203	State Board of Registration for the Healing Arts		25 MoReg 2406	26 MoReg 282	
4 CSR 150-4.056	State Board of Registration for the Healing Arts		25 MoReg 2406	26 MoReg 282	
4 CSR 150-4.060	State Board of Registration for the Healing Arts		26 MoReg 330		
4 CSR 150-4.200	State Board of Registration for the Healing Arts		25 MoReg 2214	26 MoReg 282	
4 CSR 150-4.201	State Board of Registration for the Healing Arts		25 MoReg 2215	26 MoReg 282	
4 CSR 150-4.203	State Board of Registration for the Healing Arts		25 MoReg 2215	26 MoReg 283	
4 CSR 150-4.205	State Board of Registration for the Healing Arts		25 MoReg 2216	26 MoReg 283	
4 CSR 150-4.210	State Board of Registration for the Healing Arts		25 MoReg 2221	26 MoReg 283	
4 CSR 150-4.215	State Board of Registration for the Healing Arts		25 MoReg 2221	26 MoReg 284	
4 CSR 200-2.001	State Board of Nursing		26 MoReg 27		
4 CSR 200-2.010	State Board of Nursing		26 MoReg 28		
4 CSR 200-2.020	State Board of Nursing		26 MoReg 29		
4 CSR 200-2.030	State Board of Nursing		26 MoReg 30		
4 CSR 200-2.050	State Board of Nursing		26 MoReg 30		
4 CSR 200-2.110	State Board of Nursing		26 MoReg 30		
4 CSR 200-2.120	State Board of Nursing		26 MoReg 30		
4 CSR 200-2.180	State Board of Nursing		26 MoReg 31		
4 CSR 200-3.001	State Board of Nursing		26 MoReg 31		
4 CSR 200-3.010	State Board of Nursing		26 MoReg 33		
4 CSR 200-3.020	State Board of Nursing		26 MoReg 34		
4 CSR 200-3.030	State Board of Nursing		26 MoReg 34		
4 CSR 200-3.050	State Board of Nursing		26 MoReg 34		
4 CSR 200-3.110	State Board of Nursing		26 MoReg 34		
4 CSR 200-3.120	State Board of Nursing		26 MoReg 35		
4 CSR 200-3.180	State Board of Nursing		26 MoReg 35		
4 CSR 200-4.010	State Board of Nursing	26 MoReg 112	26 MoReg 175		
4 CSR 205-4.030	Missouri Board of Occupational Therapy		25 MoReg 2407	26 MoReg 284	
4 CSR 210-2.060	State Board of Optometry		22 MoReg 1443		
4 CSR 220-2.018	State Board of Pharmacy		25 MoReg 2789		
4 CSR 220-2.030	State Board of Pharmacy		25 MoReg 2789		
4 CSR 220-2.080	State Board of Pharmacy		25 MoReg 2790		
4 CSR 220-2.090	State Board of Pharmacy		25 MoReg 2791		
4 CSR 220-2.300	State Board of Pharmacy		25 MoReg 2791R		
	.....		25 MoReg 2791		
4 CSR 220-2.900	State Board of Pharmacy		25 MoReg 2792		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 220-5.020	State Board of Pharmacy	25	MoReg 2795		
4 CSR 220-5.030	State Board of Pharmacy	25	MoReg 2795		
4 CSR 232-1.040	Missouri State Committee of Interpreters	26	MoReg 35		
4 CSR 232-3.010	Missouri State Committee of Interpreters	26	MoReg 39		
4 CSR 240-32.130	Public Service Commission	26	MoReg 330		
4 CSR 240-32.140	Public Service Commission	26	MoReg 331		
4 CSR 240-32.150	Public Service Commission	26	MoReg 331		
4 CSR 240-32.160	Public Service Commission	26	MoReg 331		
4 CSR 240-32.170	Public Service Commission	26	MoReg 332		
4 CSR 240-40.020	Public Service Commission	26	MoReg 181		
4 CSR 240-40.030	Public Service Commission	26	MoReg 181		
4 CSR 240-120.130	Public Service Commission	25	MoReg 2520		
4 CSR 240-120.135	Public Service Commission	25	MoReg 2520		
4 CSR 240-121.180	Public Service Commission	25	MoReg 2523		
4 CSR 240-121.185	Public Service Commission	25	MoReg 2523		
4 CSR 240-123.075	Public Service Commission	25	MoReg 2526		
4 CSR 265-10.030	Division of Motor Carrier and Railroad Safety	26	MoReg 112	26	MoReg 203
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 30-4.020	Division of School Services	25	MoReg 2090R	26	MoReg 60R
5 CSR 30-261.010	Division of School Services	25	MoReg 2632		
5 CSR 30-345.011	Division of School Services	25	MoReg 2633		
5 CSR 50-270.010	Division of Instruction	25	MoReg 2231	26	MoReg 60
5 CSR 50-350.040	Division of Instruction	25	MoReg 2636		
	<i>(Changed from 5 CSR 60-120.060)</i>				
5 CSR 50-378.100	Division of Instruction	25	MoReg 2633		
5 CSR 60-120.060	Vocational and Adult Education	25	MoReg 2636		
	<i>(Changed to 5 CSR 50-350.040)</i>				
5 CSR 60-120.070	Vocational and Adult Education	25	MoReg 2090	26	MoReg 61
5 CSR 60-120.080	Vocational and Adult Education	26	MoReg 209		
5 CSR 60-480.100	Vocational and Adult Education	25	MoReg 2091	26	MoReg 61
5 CSR 60-900.050	Vocational and Adult Education	25	MoReg 2093	26	MoReg 61
5 CSR 70-742.141	Special Education	N.A.		26	MoReg 284
	.....	N.A.			This Issue
5 CSR 70-742.170	Special Education	25	MoReg 2234	26	MoReg 62
5 CSR 80-805.015	Urban and Teacher Education	25	MoReg 2234	26	MoReg 62
5 CSR 80-805.016	Urban and Teacher Education	25	MoReg 2235	26	MoReg 62
5 CSR 90-4.120	Vocational Rehabilitation	26	MoReg 212		
5 CSR 90-5.400	Vocational Rehabilitation	26	MoReg 212		
5 CSR 90-5.440	Vocational Rehabilitation	26	MoReg 214		
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-2.030	Commissioner of Higher Education	25	MoReg 2796		
6 CSR 10-5.010	Commissioner of Higher Education	25	MoReg 2796R		
	.....	25	MoReg 2796		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-10.010	Highways and Transportation Commission	26	MoReg 5	26	MoReg 39
7 CSR 10-10.030	Highways and Transportation Commission	26	MoReg 6	26	MoReg 40
7 CSR 10-10.040	Highways and Transportation Commission	26	MoReg 7	26	MoReg 41
7 CSR 10-10.050	Highways and Transportation Commission	26	MoReg 8	26	MoReg 41
7 CSR 10-10.060	Highways and Transportation Commission	26	MoReg 8	26	MoReg 45
7 CSR 10-10.070	Highways and Transportation Commission	26	MoReg 9	26	MoReg 45
7 CSR 10-10.080	Highways and Transportation Commission	26	MoReg 10	26	MoReg 46
7 CSR 10-10.090	Highways and Transportation Commission	26	MoReg 11	26	MoReg 46
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 5-1.010	Administration	25	MoReg 2103R		
8 CSR 10-4.080	Division of Employment Security	26	MoReg 333		
8 CSR 30-3.010	Division of Labor Standards	25	MoReg 2877		
8 CSR 60-3.040	Missouri Commission on Human Rights	26	MoReg 333		
8 CSR 70-1.010	MO Assistive Technology Advisory Council.....	26	MoReg 317	26	MoReg 334
DEPARTMENT OF MENTAL HEALTH					
9 CSR 25-2.105	Fiscal Management	25	MoReg 2805		
9 CSR 25-2.305	Fiscal Management	25	MoReg 2806		
9 CSR 45-3.070	Division of Mental Retardation and Developmental Disabilities	26	MoReg 335		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.030	Air Conservation Commission	25	MoReg 2292R	.....	This IssueR
10 CSR 10-2.205	Air Conservation Commission	25	MoReg 2292	.....	This Issue
10 CSR 10-2.215	Air Conservation Commission	25	MoReg 2298R		
	.....	25	MoReg 2408		
10 CSR 10-2.260	Air Conservation Commission	26	MoReg 47		
10 CSR 10-2.330	Air Conservation Commission	25	MoReg 2640		
10 CSR 10-3.050	Air Conservation Commission	25	MoReg 2298R	.....	This IssueR
10 CSR 10-4.030	Air Conservation Commission	25	MoReg 2298R	.....	This IssueR
10 CSR 10-5.050	Air Conservation Commission	25	MoReg 2298R	.....	This IssueR
10 CSR 10-5.375	Air Conservation Commission	25	MoReg 2299	.....	This Issue
10 CSR 10-6.040	Air Conservation Commission	25	MoReg 2716		
10 CSR 10-6.120	Air Conservation Commission	25	MoReg 2303	.....	This Issue

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 10-6.200	Air Conservation Commission.....		25 MoReg 2717		
10 CSR 10-6.400	Air Conservation Commission.....		26 MoReg 344		
10 CSR 20-6.011	Clean Water Commission.....		25 MoReg 2878		
10 CSR 20-6.060	Clean Water Commission.....		25 MoReg 2880		
10 CSR 20-14.010	Clean Water Commission.....		25 MoReg 2881		
10 CSR 20-14.020	Clean Water Commission.....		25 MoReg 2883		
10 CSR 20-14.030	Clean Water Commission.....		25 MoReg 2885		
10 CSR 25	Hazardous Waste Management Commission.....				25 MoReg 2597RUC
10 CSR 25-12.010	Hazardous Waste Management Commission.....				25 MoReg 2253
10 CSR 40-10.010	Land Reclamation Commission		25 MoReg 1623		
10 CSR 40-10.020	Land Reclamation Commission		25 MoReg 1623		
10 CSR 40-10.040	Land Reclamation Commission		25 MoReg 1627		
10 CSR 40-10.100	Land Reclamation Commission		25 MoReg 1627		
10 CSR 60-14.010	Public Drinking Water Program.....	This Issue	25 MoReg 2886		
10 CSR 60-14.020	Public Drinking Water Program.....	This Issue	25 MoReg 2889		
10 CSR 60-14.030	Public Drinking Water Program.....	This Issue	25 MoReg 2899		
10 CSR 90-2.010	Parks, Recreation and Historic Preservation		25 MoReg 2806R		
			25 MoReg 2806		
10 CSR 90-2.020	Parks, Recreation and Historic Preservation		25 MoReg 2810R		
			25 MoReg 2810		
10 CSR 90-2.030	Parks, Recreation and Historic Preservation		25 MoReg 2815R		
			25 MoReg 2815		
10 CSR 90-2.040	State Parks		25 MoReg 2820		
10 CSR 90-2.050	Parks, Recreation and Historic Preservation		25 MoReg 2821R		
			25 MoReg 2821		
10 CSR 90-2.060	Parks, Recreation and Historic Preservation		25 MoReg 2822R		
			25 MoReg 2822		
10 CSR 90-2.070	State Parks		25 MoReg 2824		
10 CSR 140-2	Division of Energy				24 MoReg 2243
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 10-1.020	Adjutant General		25 MoReg 2528	This Issue	
11 CSR 10-5.010	Adjutant General		25 MoReg 2528	This Issue	
11 CSR 10-5.015	Adjutant General		25 MoReg 2531	This Issue	
11 CSR 40-5.040	Division of Fire Safety.....		25 MoReg 2411	26 MoReg 286	
11 CSR 40-5.050	Division of Fire Safety.....		25 MoReg 2411	26 MoReg 286	
11 CSR 40-5.065	Division of Fire Safety.....		25 MoReg 2411	26 MoReg 286	
11 CSR 40-5.090	Division of Fire Safety.....		25 MoReg 2412	26 MoReg 286	
11 CSR 40-5.120	Division of Fire Safety.....	25 MoReg 2283	25 MoReg 2412	26 MoReg 286	
11 CSR 45-4.380	Missouri Gaming Commission	25 MoReg 2713	25 MoReg 2717		
11 CSR 45-4.390	Missouri Gaming Commission		25 MoReg 1631	25 MoReg 2577	
		25 MoReg 2713	25 MoReg 2718		
11 CSR 45-5.065	Missouri Gaming Commission		26 MoReg 345		
11 CSR 45-5.183	Missouri Gaming Commission		25 MoReg 2103	26 MoReg 63	
11 CSR 45-10.110	Missouri Gaming Commission	25 MoReg 2714	25 MoReg 2718		
11 CSR 45-17.015	Missouri Gaming Commission		25 MoReg 2719		
11 CSR 45-30.600	Missouri Gaming Commission		25 MoReg 2719		
11 CSR 45-31.005	Missouri Gaming Commission		25 MoReg 2722		
11 CSR 50-2.200	Missouri State Highway Patrol		25 MoReg 2531	This Issue	
11 CSR 50-2.270	Missouri State Highway Patrol		25 MoReg 2531	This Issue	
11 CSR 50-2.320	Missouri State Highway Patrol		25 MoReg 2532	This Issue	
11 CSR 50-2.330	Missouri State Highway Patrol		25 MoReg 2532	This Issue	
11 CSR 75-3.020	Peace Officer Standards and Training		25 MoReg 2827		
11 CSR 75-3.030	Peace Officer Standards and Training		25 MoReg 2645	This Issue	
11 CSR 75-11.010	Peace Officer Standards and Training		25 MoReg 2307	26 MoReg 63	
11 CSR 75-11.020	Peace Officer Standards and Training		25 MoReg 2307	26 MoReg 63	
11 CSR 75-11.030	Peace Officer Standards and Training		25 MoReg 2308	26 MoReg 63	
11 CSR 75-11.040	Peace Officer Standards and Training		25 MoReg 2309R	26 MoReg 63R	
11 CSR 75-11.070	Peace Officer Standards and Training		25 MoReg 2309	26 MoReg 64	
DEPARTMENT OF REVENUE					
12 CSR	Construction Transient Employers.....				25 MoReg 1490
					25 MoReg 2147
					25 MoReg 2747
12 CSR 10-3.028	Director of Revenue		25 MoReg 2646R	This IssueR	
12 CSR 10-3.030	Director of Revenue		25 MoReg 2646R	This IssueR	
12 CSR 10-3.032	Director of Revenue		25 MoReg 2647R	This IssueR	
12 CSR 10-3.054	Director of Revenue		25 MoReg 2722R		
12 CSR 10-3.058	Director of Revenue		25 MoReg 2722R		
12 CSR 10-3.062	Director of Revenue		25 MoReg 2722R		
12 CSR 10-3.064	Director of Revenue		25 MoReg 2723R		
12 CSR 10-3.070	Director of Revenue		25 MoReg 2723R		
12 CSR 10-3.072	Director of Revenue		25 MoReg 2723R		
12 CSR 10-3.074	Director of Revenue		25 MoReg 2723R		
12 CSR 10-3.078	Director of Revenue		25 MoReg 2724R		
12 CSR 10-3.080	Director of Revenue		25 MoReg 2724R		
12 CSR 10-3.082	Director of Revenue		25 MoReg 2724R		
12 CSR 10-3.084	Director of Revenue		25 MoReg 2724R		
12 CSR 10-3.090	Director of Revenue		25 MoReg 2725R		
12 CSR 10-3.102	Director of Revenue		25 MoReg 2647R	This IssueR	
12 CSR 10-3.131	Director of Revenue		25 MoReg 2414R	26 MoReg 286R	
12 CSR 10-3.152	Director of Revenue		25 MoReg 2725R		
12 CSR 10-3.154	Director of Revenue		25 MoReg 2725R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
12 CSR 10-3.156	Director of Revenue	25	MoReg 2725R		
12 CSR 10-3.162	Director of Revenue	25	MoReg 2726R		
12 CSR 10-3.167	Director of Revenue	25	MoReg 2902R		
12 CSR 10-3.186	Director of Revenue	25	MoReg 2726R		
12 CSR 10-3.210	Director of Revenue	25	MoReg 2414R	26	MoReg 287R
12 CSR 10-3.212	Director of Revenue	25	MoReg 2647R	...	This IssueR
12 CSR 10-3.214	Director of Revenue	25	MoReg 2647R	...	This IssueR
12 CSR 10-3.216	Director of Revenue	25	MoReg 2648R	...	This IssueR
12 CSR 10-3.218	Director of Revenue	25	MoReg 2648R	...	This IssueR
12 CSR 10-3.220	Director of Revenue	25	MoReg 2648R	...	This IssueR
12 CSR 10-3.460	Director of Revenue	25	MoReg 144		
12 CSR 10-3.471	Director of Revenue	25	MoReg 2726R		
12 CSR 10-3.472	Director of Revenue	25	MoReg 2648R	...	This IssueR
12 CSR 10-3.474	Director of Revenue	25	MoReg 2649R	...	This IssueR
12 CSR 10-3.476	Director of Revenue	25	MoReg 2649R	...	This IssueR
12 CSR 10-3.478	Director of Revenue	25	MoReg 2649R	...	This IssueR
12 CSR 10-3.479	Director of Revenue	25	MoReg 2649R	...	This IssueR
12 CSR 10-3.524	Director of Revenue	25	MoReg 2902R		
12 CSR 10-3.588	Director of Revenue	25	MoReg 2902R		
12 CSR 10-3.840	Director of Revenue	25	MoReg 2726R		
12 CSR 10-3.842	Director of Revenue	25	MoReg 2650R	...	This IssueR
12 CSR 10-3.844	Director of Revenue	25	MoReg 2650R	...	This IssueR
12 CSR 10-3.878	Director of Revenue	25	MoReg 2650R	...	This IssueR
12 CSR 10-3.898	Director of Revenue	25	MoReg 2650R	...	This IssueR
12 CSR 10-4.070	Director of Revenue	25	MoReg 2650R	...	This IssueR
12 CSR 10-4.075	Director of Revenue	25	MoReg 2651R	...	This IssueR
12 CSR 10-4.165	Director of Revenue	25	MoReg 2902R		
12 CSR 10-4.624	Director of Revenue	25	MoReg 2414R	26	MoReg 287R
12 CSR 10-4.632	Director of Revenue	25	MoReg 2651R	...	This IssueR
12 CSR 10-4.634	Director of Revenue	25	MoReg 2726R		
12 CSR 10-5.010	Director of Revenue	25	MoReg 2727R		
12 CSR 10-24.402	Director of Revenue	25	MoReg 2727R		
12 CSR 10-25.030	Director of Revenue	26	MoReg 345		
12 CSR 10-25.050	Director of Revenue	25	MoReg 2415	26	MoReg 287
12 CSR 10-25.130	Director of Revenue	25	MoReg 2420	26	MoReg 287
12 CSR 10-25.140	Director of Revenue	25	MoReg 2420	26	MoReg 287
12 CSR 10-25.150	Director of Revenue	25	MoReg 2420	26	MoReg 287
12 CSR 10-41.010	Director of Revenue	25	MoReg 2787	25	MoReg 2827
12 CSR 10-101.600	Director of Revenue	25	MoReg 2902		
12 CSR 10-103.220	Director of Revenue	25	MoReg 2651R	...	This IssueR
12 CSR 10-103.250	Director of Revenue	25	MoReg 2903		
12 CSR 10-103.555	Director of Revenue	25	MoReg 2421	26	MoReg 287
12 CSR 10-103.700	Director of Revenue	25	MoReg 2422	...	This Issue
12 CSR 10-103.800	Director of Revenue	25	MoReg 2422	26	MoReg 288
12 CSR 10-110.200	Director of Revenue	25	MoReg 2423	...	This Issue
12 CSR 30-3.025	State Tax Commission	25	MoReg 2242	26	MoReg 288
12 CSR 30-3.075	State Tax Commission	25	MoReg 2827		
12 CSR 40-20.030	State Lottery	25	MoReg 2424	26	MoReg 347
12 CSR 40-40.230	State Lottery	25	MoReg 2424	26	MoReg 347
12 CSR 40-40.250	State Lottery	25	MoReg 2424	26	MoReg 347
12 CSR 40-60.010	State Lottery	25	MoReg 2425	26	MoReg 347
12 CSR 40-60.030	State Lottery	25	MoReg 2425	26	MoReg 347
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 15-4.010	Division of Aging	25	MoReg 2425	...	This Issue
13 CSR 15-4.040	Division of Aging	25	MoReg 2427	...	This Issue
13 CSR 15-4.050	Division of Aging				This Issue
13 CSR 15-4.080	Division of Aging	25	MoReg 2428	...	This Issue
13 CSR 15-4.090	Division of Aging	25	MoReg 2428	...	This Issue
13 CSR 15-4.100	Division of Aging	25	MoReg 2428	...	This Issue
13 CSR 15-4.105	Division of Aging	25	MoReg 2429	...	This Issue
13 CSR 15-4.135	Division of Aging	25	MoReg 2430	...	This Issue
13 CSR 15-4.140	Division of Aging	25	MoReg 2430	...	This Issue
13 CSR 15-4.150	Division of Aging	25	MoReg 2430	...	This Issue
13 CSR 15-4.160	Division of Aging	25	MoReg 2431	...	This Issue
13 CSR 15-4.170	Division of Aging	25	MoReg 2431	...	This Issue
13 CSR 15-4.175	Division of Aging	25	MoReg 2432	...	This Issue
13 CSR 15-4.190	Division of Aging	25	MoReg 2432	...	This Issue
13 CSR 15-4.200	Division of Aging	25	MoReg 2432	...	This Issue
13 CSR 15-4.230	Division of Aging	25	MoReg 2433	...	This Issue
13 CSR 15-4.270	Division of Aging	25	MoReg 2434	...	This Issue
13 CSR 15-4.290	Division of Aging	25	MoReg 2434	...	This Issue
13 CSR 15-4.300	Division of Aging	25	MoReg 2434	...	This Issue
13 CSR 15-4.310	Division of Aging	25	MoReg 2435	...	This Issue
13 CSR 15-7.010	Division of Aging	25	MoReg 2435	...	This Issue
13 CSR 15-7.040	Division of Aging	25	MoReg 2436	...	This Issue
13 CSR 15-7.050	Division of Aging	25	MoReg 2438	...	This Issue
13 CSR 15-9.010	Division of Aging	26	MoReg 53		
13 CSR 15-15.045	Division of Aging	26	MoReg 118	26	MoReg 214
13 CSR 30-5.010	Child Support Enforcement	25	MoReg 1840R		
		25	MoReg 2904R		
13 CSR 40-19.020	Division of Family Services	25	MoReg 2365	26	MoReg 288
13 CSR 40-31.050	Division of Family Services	26	MoReg 126R	26	MoReg 226R

Rule Number	Agency	Emergency	Proposed	Order	In Addition
13 CSR 40-32.020	Division of Family Services	26 MoReg 126	26 MoReg 226		
13 CSR 40-91.030	Division of Family Services		25 MoReg 2309	26 MoReg 288	
13 CSR 45-2.010	Division of Legal Services	26 MoReg 129	26 MoReg 228		
13 CSR 70-3.020	Medical Services		25 MoReg 2441		
13 CSR 70-10.015	Medical Services	25 MoReg 2196	25 MoReg 1967	26 MoReg 64	
			25 MoReg 2728		
13 CSR 70-10.030	Medical Services		25 MoReg 2532		
13 CSR 70-10.050	Medical Services	25 MoReg 2198	25 MoReg 1971	26 MoReg 67	
13 CSR 70-10.080	Medical Services	25 MoReg 2198	25 MoReg 1973	26 MoReg 68	
13 CSR 70-10.150	Medical Services	25 MoReg 2869	25 MoReg 2904		
13 CSR 70-20.031	Medical Services	25 MoReg 2870	25 MoReg 1976	26 MoReg 69	
13 CSR 70-20.032	Medical Services		25 MoReg 1976	26 MoReg 69	
13 CSR 70-20.034	Medical Services	25 MoReg 2870	25 MoReg 1977	26 MoReg 70	
13 CSR 70-20.045	Medical Services	25 MoReg 2871	25 MoReg 1978	26 MoReg 70	
			26 MoReg 246		
13 CSR 70-20.050	Medical Services		26 MoReg 246		
13 CSR 70-20.070	Medical Services		26 MoReg 246		
13 CSR 70-91.010	Medical Services		26 MoReg 249		
13 CSR 73-2.051	Missouri Board of Nursing Home Administrators		25 MoReg 2828		

ELECTED OFFICIALS

15 CSR 30-4.010	Secretary of State	25 MoReg 2509	25 MoReg 2535		
15 CSR 30-45.040	Secretary of State	26 MoReg 147	25 MoReg 2728		
15 CSR 40-3.100	State Auditor	25 MoReg 2045R	25 MoReg 2103R	26 MoReg 288R	
15 CSR 40-3.110	State Auditor	25 MoReg 2046R	25 MoReg 2104R	26 MoReg 288R	
15 CSR 40-3.120	State Auditor	25 MoReg 2046	25 MoReg 2104	26 MoReg 289	
15 CSR 60-10.010	Attorney General	25 MoReg 2285	25 MoReg 2312	This Issue	
15 CSR 60-10.020	Attorney General	25 MoReg 2285	25 MoReg 2312	This Issue	
15 CSR 60-10.030	Attorney General	25 MoReg 2287	25 MoReg 2313	This Issue	
15 CSR 60-13.010	Attorney General		25 MoReg 2538	26 MoReg 347	
15 CSR 60-13.020	Attorney General		25 MoReg 2538	26 MoReg 348	
15 CSR 60-13.030	Attorney General		25 MoReg 2542	26 MoReg 351	
15 CSR 60-13.040	Attorney General		25 MoReg 2545	26 MoReg 351	
15 CSR 60-13.050	Attorney General		25 MoReg 2545	26 MoReg 351	
15 CSR 60-13.060	Attorney General		25 MoReg 2545	26 MoReg 351	
15 CSR 60-13.070	Attorney General		25 MoReg 2552	26 MoReg 358	

RETIREMENT SYSTEMS

16 CSR 10-4.014	The Public School Retirement System of Missouri		25 MoReg 2442	26 MoReg 289	
16 CSR 10-5.055	The Public School Retirement System of Missouri		25 MoReg 2443	26 MoReg 289	
16 CSR 10-5.030	The Public School Retirement System of Missouri		26 MoReg 250		
16 CSR 10-6.045	The Public School Retirement System of Missouri		25 MoReg 2832		
16 CSR 10-6.060	The Public School Retirement System of Missouri		25 MoReg 2443	26 MoReg 289	
16 CSR 10-6.090	The Public School Retirement System of Missouri		26 MoReg 250		
16 CSR 20-2.060	Missouri Local Government Employees' Retirement System (LAGERS)		25 MoReg 2445	26 MoReg 289	
16 CSR 20-3.010	Missouri Local Government Employees' Retirement System (LAGERS)		25 MoReg 2445	26 MoReg 290	
16 CSR 50-1.010	The County Employees' Retirement Fund		25 MoReg 2652	This Issue	
16 CSR 50-1.020	The County Employees' Retirement Fund		25 MoReg 2653	This Issue	
16 CSR 50-1.030	The County Employees' Retirement Fund		25 MoReg 2653	This Issue	
16 CSR 50-2.010	The County Employees' Retirement Fund		25 MoReg 2653R	This IssueR	
			25 MoReg 2653	This Issue	
16 CSR 50-2.020	The County Employees' Retirement Fund		25 MoReg 2655R	This IssueR	
			25 MoReg 2656	This Issue	
16 CSR 50-2.030	The County Employees' Retirement Fund		25 MoReg 2656R	This IssueR	
			25 MoReg 2656	This Issue	
16 CSR 50-2.035	The County Employees' Retirement Fund		25 MoReg 2657R	This IssueR	
			25 MoReg 2657	This Issue	
16 CSR 50-2.040	The County Employees' Retirement Fund		25 MoReg 2659R	This IssueR	
			25 MoReg 2659	This Issue	
16 CSR 50-2.050	The County Employees' Retirement Fund		25 MoReg 2659R	This IssueR	
			25 MoReg 2660	This Issue	
16 CSR 50-2.060	The County Employees' Retirement Fund		25 MoReg 2660R	This IssueR	
16 CSR 50-2.080	The County Employees' Retirement Fund		25 MoReg 2660	This Issue	
16 CSR 50-2.090	The County Employees' Retirement Fund		25 MoReg 2661	This Issue	
16 CSR 50-2.100	The County Employees' Retirement Fund		25 MoReg 2662	This Issue	
16 CSR 50-2.110	The County Employees' Retirement Fund		25 MoReg 2662	This Issue	
16 CSR 50-2.120	The County Employees' Retirement Fund		25 MoReg 2662	This Issue	
16 CSR 50-2.130	The County Employees' Retirement Fund		25 MoReg 2663	This Issue	
16 CSR 50-2.140	The County Employees' Retirement Fund		25 MoReg 2664	This Issue	
16 CSR 50-2.150	The County Employees' Retirement Fund		25 MoReg 2664	This Issue	
16 CSR 50-2.160	The County Employees' Retirement Fund		25 MoReg 2666	This Issue	
16 CSR 50-3.010	The County Employees' Retirement Fund		25 MoReg 2666R	This IssueR	
			25 MoReg 2666	This Issue	
16 CSR 50-3.020	The County Employees' Retirement Fund		25 MoReg 2667R	This IssueR	
16 CSR 50-3.030	The County Employees' Retirement Fund		25 MoReg 2667R	This IssueR	
16 CSR 50-3.040	The County Employees' Retirement Fund		25 MoReg 2668R	This IssueR	
16 CSR 50-3.050	The County Employees' Retirement Fund		25 MoReg 2668R	This IssueR	
16 CSR 50-3.060	The County Employees' Retirement Fund		25 MoReg 2668	This Issue	
16 CSR 50-3.070	The County Employees' Retirement Fund		25 MoReg 2669	This Issue	
16 CSR 50-3.080	The County Employees' Retirement Fund		25 MoReg 2669R	This IssueR	
16 CSR 50-3.090	The County Employees' Retirement Fund		25 MoReg 2669R	This IssueR	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF HEALTH					
19 CSR 10-4.020	Office of the Director	25 MoReg 2512	25 MoReg 2552	26 MoReg 290	
19 CSR 10-5.010	Office of the Director		25 MoReg 2554		
19 CSR 20-28.040	Division of Environmental Health and Communicable Disease Prevention		This Issue		
19 CSR 30-35.010	Division of Health Standards and Licensure		This IssueR		
	.....		This Issue		
19 CSR 30-35.020	Division of Health Standards and Licensure		This IssueR		
	.....		This Issue		
19 CSR 30-35.010	Division of Health Standards and Licensure		This IssueR		
	.....		This Issue		
19 CSR 30-40.302	Division of Health Standards and Licensure		26 MoReg 56		
19 CSR 30-80.010	Division of Health Standards and Licensure	25 MoReg 2629	25 MoReg 2669		
19 CSR 30-80.020	Division of Health Standards and Licensure	25 MoReg 2629	25 MoReg 2670		
19 CSR 30-80.030	Division of Health Standards and Licensure	25 MoReg 2630	25 MoReg 2670		
19 CSR 30-80.040	Division of Health Standards and Licensure	25 MoReg 2631	25 MoReg 2675		
19 CSR 60-50.300	Missouri Health Facilities Review		25 MoReg 206	25 MoReg 1647	
19 CSR 60-50.420	Missouri Health Facilities Review				25 MoReg 1796
	.....				25 MoReg 2013
	.....				25 MoReg 2254
	.....				25 MoReg 2477
	.....				25 MoReg 2599
	.....				25 MoReg 2745
	.....				25 MoReg 2914
	.....				26 MoReg 291
19 CSR 60-50.470	Missouri Health Facilities Review		25 MoReg 207		
DEPARTMENT OF INSURANCE					
20 CSR	Medical Malpractice				23 MoReg 514
	.....				24 MoReg 682
	.....				25 MoReg 597
	Sovereign Immunity Limits				25 MoReg 724
	.....				26 MoReg 75
20 CSR 10-1.020	General Administration		26 MoReg 251		
20 CSR 200-1.020	Financial Examination		26 MoReg 251		
20 CSR 200-1.040	Financial Examination		26 MoReg 252		
20 CSR 200-1.050	Financial Examination		26 MoReg 252		
20 CSR 200-1.110	Financial Examination		26 MoReg 253		
20 CSR 200-1.140	Financial Examination		26 MoReg 253		
20 CSR 400-7.180	Life, Annuities and Health		25 MoReg 1895	26 MoReg 70	
20 CSR 500-6.700	Property and Casualty		25 MoReg 2446	26 MoReg 358W	
20 CSR 500-10.100	Property and Casualty		25 MoReg 2459		
20 CSR 500-10.200	Property and Casualty		26 MoReg 256		
20 CSR 500-10.300	Property and Casualty		25 MoReg 2459		
MISSOURI CONSOLIDATED HEALTH CARE PLAN					
22 CSR 10-2.010	Health Care Plan	26 MoReg 149R	26 MoReg 256R		
	.....	26 MoReg 149	26 MoReg 257		
22 CSR 10-2.020	Health Care Plan	26 MoReg 151R	26 MoReg 259R		
	.....	26 MoReg 152	26 MoReg 259		
22 CSR 10-2.040	Health Care Plan	26 MoReg 155R	26 MoReg 262R		
	.....	26 MoReg 155	26 MoReg 263		
22 CSR 10-2.045	Health Care Plan	26 MoReg 157	26 MoReg 264		
22 CSR 10-2.050	Health Care Plan	26 MoReg 158R	26 MoReg 265R		
	.....	26 MoReg 158	26 MoReg 266		
22 CSR 10-2.055	Health Care Plan	26 MoReg 160	26 MoReg 267		
22 CSR 10-2.060	Health Care Plan	26 MoReg 161R	26 MoReg 268R		
	.....	26 MoReg 161	26 MoReg 268		
22 CSR 10-2.063	Health Care Plan	26 MoReg 164R	26 MoReg 271R		
	.....	26 MoReg 164	26 MoReg 271		
22 CSR 10-2.064	Health Care Plan	26 MoReg 165	26 MoReg 272		
22 CSR 10-2.065	Health Care Plan	26 MoReg 166	26 MoReg 273		
22 CSR 10-2.067	Health Care Plan	26 MoReg 168R	26 MoReg 274R		
	.....	26 MoReg 168	26 MoReg 275		
22 CSR 10-2.070	Health Care Plan	26 MoReg 169R	26 MoReg 276R		
	.....	26 MoReg 169	26 MoReg 276		
22 CSR 10-2.075	Health Care Plan	26 MoReg 171R	26 MoReg 277R		
	.....	26 MoReg 171	26 MoReg 277		
22 CSR 10-2.080	Health Care Plan	26 MoReg 172R	26 MoReg 279R		
	.....	26 MoReg 173	26 MoReg 279		

Emergency Rules in Effect as of February 15, 2001

Expires

Office of Administration

Commissioner of Administration

1 CSR 10-15.010 Cafeteria Plan June 29, 2001

Department of Agriculture

Division of Animal Health

2 CSR 30-10.010 Inspection of Meat and Poultry April 1, 2001

Department of Economic Development

State Board of Nursing

4 CSR 200-4.010 Fees June 29, 2001

Division of Motor Carrier and Railroad Safety

4 CSR 265-10.030 Insurance June 30, 2001

Department of Transportation

Missouri Highways and Transportation Commission

7 CSR 10-10.010 Definitions June 29, 2001

7 CSR 10-10.030 Rating Categories for Evaluating the Performance of a Contractor June 29, 2001

7 CSR 10-10.040 Contractor Performance Questionnaire Used in Evaluating Contractor Performance June 29, 2001

7 CSR 10-10.050 Procedure and Schedule for Completing the Contractor Performance Questionnaire June 29, 2001

7 CSR 10-10.060 Explanation of Standard Deviation Rating System for all Contractors June 29, 2001

7 CSR 10-10.070 Procedure for Annual Rating of Contractors June 29, 2001

7 CSR 10-10.080 Determination of Nonresponsibility June 29, 2001

7 CSR 10-10.090 Reservation of Rights to Recommend or Declare Persons or Contractors
Nonresponsible on Other Grounds June 29, 2001

Department of Labor and Industrial Relations

Missouri Assistive Technology Advisory Council

8 CSR 70-1.010 Telecommunications Access Program February 23, 2001

8 CSR 70-1.010 Telecommunications Access Program June 28, 2001

Department of Mental Health

Certification Standards

9 CSR 30-4.042 Admission Criteria February 22, 2001

Department of Natural Resources

Public Drinking Water Program

10 CSR 60-14.010 Classification of Public Water Systems August 3, 2001

10 CSR 60-14.020 Certification of Water Supply Operators August 3, 2001

Department of Public Safety

Adjutant General

11 CSR 10-3.015 State Sponsored Missouri National Guard Member Educational Assistance Program February 23, 2001

Division of Fire Safety

11 CSR 40-5.120 Inspectors March 2, 2001

Missouri Gaming Commission

11 CSR 45-4.380 Occupational License Application and Annual Fees April 11, 2001

11 CSR 45-4.390 Occupational License Renewal April 11, 2001

11 CSR 45-10.110 Licensee's Duty to Report Occupational Personnel April 11, 2001

11 CSR 45-11.110 Refund—Claim for Refund February 22, 2001

Department of Revenue

Director of Revenue

12 CSR 10-41.010 Adjusted Rate of Interest June 29, 2001

Department of Social Services

Division of Aging

13 CSR 15-15.045 Standards and Requirements for Residential Care Facilities II Which Provide
Services to Residents with Alzheimer's Disease or Other Dementia June 30, 2001

Division of Family Services

13 CSR 40-19.020 Low Income Home Energy Assistance Program March 28, 2001

13 CSR 40-31.050 Child Fatality Review Process June 29, 2001

13 CSR 40-32.020	Processing of Applications for State and Federal Funds for Providing Child Care Services . . .	June 29, 2001
Legal Services		
13 CSR 45-2.010	Organization and Operation	June 29, 2001
Division of Medical Services		
13 CSR 70-10.150	Enhancement Pools	May 11, 2001
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	March 2, 2001
13 CSR 70-20.031	List of Excludable Drugs for Which Prior Authorization is Required	May 29, 2001
13 CSR 70-20.034	List of Non-Excludable Drugs for Which Prior Authorization is Required	May 29, 2001
13 CSR 70-20.045	Thirty-One (31) Day Supply Maximum Restriction of Pharmacy Services Reimbursed by the Division of Medical Services	May 29, 2001

Elected Officials

Secretary of State

15 CSR 30-4.010	Postcard Voter Application and Forms	April 3, 2001
15 CSR 30-45.040	Missouri Historical Records Advisory Board (MHRAB) Regrant Program Administration	June 29, 2001

State Auditor

15 CSR 40-3.100	Revision of Property Tax Rates by School Districts	February 22, 2001
15 CSR 40-3.110	Revision of Property Tax Rates by Political Subdivisions Other Than School Districts . . .	February 22, 2001
15 CSR 40-3.120	Calculation and Revision of Property Tax	February 22, 2001

Attorney General

15 CSR 60-10.010	Definitions	February 23, 2001
15 CSR 60-10.020	Report to Attorney General by Law Enforcement Agencies	February 23, 2001
15 CSR 60-10.030	Reporting Forms	February 23, 2001

Department of Health

Office of the Director

19 CSR 10-4.020	J-1 Visa Waiver Program	March 27, 2001
------------------------	-----------------------------------	----------------

Division of Environmental Health and Communicable Disease Prevention

19 CSR 20-20.100	Tuberculosis Testing for Residents and Workers in Long-Term Care Facilities and State Correctional Centers	February 22, 2001
19 CSR 20-28.040	Day Care Immunization Rule	February 22, 2001

Division of Health Standards and Licensure

19 CSR 30-80.010	Definitions	June 29, 2001
19 CSR 30-80.020	General	June 29, 2001
19 CSR 30-80.030	Child-Care and Elder-Care Worker	June 29, 2001
19 CSR 30-80.040	Updates and Appeals of Registry Information	June 29, 2001

Missouri Consolidated Health Care Plan

Health Care Plan

22 CSR 10-2.010	Definitions	June 29, 2001
22 CSR 10-2.010	Definitions	June 29, 2001
22 CSR 10-2.020	Membership Agreement and Participation Period	June 29, 2001
22 CSR 10-2.020	Membership Agreement and Participation Period	June 29, 2001
22 CSR 10-2.040	Indemnity Plan Summary of Medical Benefits	June 29, 2001
22 CSR 10-2.040	Indemnity Plan Summary of Medical Benefits	June 29, 2001
22 CSR 10-2.045	Co-Pay Plan Summary of Medical Benefits	June 29, 2001
22 CSR 10-2.050	Indemnity Plan Benefit Provisions and Covered Charges	June 29, 2001
22 CSR 10-2.050	PPO Plan Benefit Provisions and Covered Charges	June 29, 2001
22 CSR 10-2.055	Co-Pay Plan Benefit Provisions and Covered Charges	June 29, 2001
22 CSR 10-2.060	Indemnity Plan Limitations	June 29, 2001
22 CSR 10-2.060	PPO and Co-Pay Plan Limitations	June 29, 2001
22 CSR 10-2.063	HMO/POS/POS98 Summary of Medical Benefits	June 29, 2001
22 CSR 10-2.063	HMO/POS/ Premium Option Summary of Medical Benefits	June 29, 2001
22 CSR 10-2.064	HMO/POS/ Standard Option Summary of Medical Benefits	June 29, 2001
22 CSR 10-2.065	Staff Model Summary of Medical Benefits	June 29, 2001
22 CSR 10-2.067	HMO and POS Limitations	June 29, 2001
22 CSR 10-2.067	HMO and POS Limitations	June 29, 2001
22 CSR 10-2.070	Coordination of Benefits	June 29, 2001
22 CSR 10-2.070	Coordination of Benefits	June 29, 2001
22 CSR 10-2.075	Review and Appeals Procedure	June 29, 2001
22 CSR 10-2.075	Review and Appeals Procedure	June 29, 2001
22 CSR 10-2.080	Miscellaneous Provisions	June 29, 2001
22 CSR 10-2.080	Miscellaneous Provisions	June 29, 2001

The rule number and the MoReg publication date follow each entry to this index.

ACCOUNTANCY, STATE BOARD OF

limited liability companies; 4 CSR 10-2.085; 10/2/00, 1/16/01
ownership, CPA firms; 4 CSR 10-2.095; 10/2/00, 1/16/01
professional corporations; 4 CSR 10-2.090; 10/2/00, 1/16/01

ACUPUNCTURIST ADVISORY COMMITTEE

applicants; 4 CSR 15-3.010; 10/2/00
application; 4 CSR 15-2.010; 10/2/00
code of ethics; 4 CSR 15-3.020; 10/2/00
complaint handling; 4 CSR 15-5.010; 10/2/00
conduct, professional; 4 CSR 15-3.030; 10/2/00
definitions; 4 CSR 15-1.010; 10/2/00
fees; 4 CSR 15-1.040; 10/2/00
investigation; 4 CSR 15-5.020; 10/2/00
license renewal; 4 CSR 15-2.030; 10/2/00
name, address changes; 4 CSR 15-1.030; 10/2/00
reciprocity; 4 CSR 15-2.020; 10/2/00
reinstatement; 4 CSR 15-2.040; 10/2/00
supervision
 acupuncturist trainees; 4 CSR 15-4.020; 10/2/00
 auricular detox technicians; 4 CSR 15-4.010; 10/2/00
titling; 4 CSR 15-1.020; 10/2/00

ADJUTANT GENERAL

certification; 11 CSR 10-12.060; 7/3/00, 10/16/00
continuing education; 11 CSR 10-12.050; 7/3/00, 10/16/00
definitions; 11 CSR 10-12.020; 7/3/00, 10/16/00
educational assistance; 11 CSR 10-3.015; 9/1/00, 12/15/00
exemption, waiver; 11 CSR 10-12.040; 7/3/00, 10/16/00
National Guard
 trust fund; 11 CSR 10-1.020; 10/16/00, 2/15/01
organization; 11 CSR 10-12.010; 7/3/00, 10/16/00
 general; 11 CSR 10-1.010; 9/1/00, 12/15/00
training; 11 CSR 10-12.030; 7/3/00, 10/16/00
WWII veteran's recognition program; 11 CSR 10-5.010;
 10/16/00, 2/15/01
award fund; 11 CSR 10-5.015; 10/16/00, 2/15/01

ADMINISTRATIVE HEARING COMMISSION

answers, pleadings; 1 CSR 15-3.380, 1 CSR 15-5.380, 1 CSR 15-6.380; 2/15/01
bench rulings, memorandum decisions; 1 CSR 15-5.530, 1 CSR 15-6.530; 2/15/01
certifications of records; 1 CSR 15-5.580, 1 CSR 15-6.580;
 2/15/01
closing of case records, hearings; 1 CSR 15-5.410, 1 CSR 15-6.410; 2/15/01
complaints; 1 CSR 15-3.350, 1 CSR 15-5.350, 1 CSR 15-6.350;
 2/15/01
 hearings on; 1 CSR 15-3.490, 1 CSR 15-6.490; 2/15/01
computation of time; 1 CSR 15-5.230, 1 CSR 15-6.230; 2/15/01
definitions; 1 CSR 15-3.210, 1 CSR 15-5.210, 1 CSR 15-6.210;
 2/15/01
determination of cases without hearing; 1 CSR 15-2.450,
 1 CSR 15-3.450, 1 CSR 15-5.450, 1 CSR 15-6.450; 2/15/01
discovery; 1 CSR 15-5.420, 1 CSR 15-6.420; 2/15/01
dismissal; 1 CSR 15-5.430, 1 CSR 15-6.430; 2/15/01
documents, filing; fax; posting bond; 1 CSR 15-2.290,
 1 CSR 15-3.290; 2/15/01
fax filing; 1 CSR 15-5.290, 1 CSR 15-6.290; 2/15/01
fees, expenses; 1 CSR 15-2.560, 1 CSR 15-3.560,
 1 CSR 15-5.560, 1 CSR 15-6.560; 2/15/01

hearings on

 complaints; 1 CSR 15-5.490; 2/15/01
 motions; 1 CSR 15-5.480, 1 CSR 15-6.480; 2/15/01
intervention; 1 CSR 15-5.390, 1 CSR 15-6.390; 2/15/01
practice by a licensed attorney; 1 CSR 15-5.250,
 1 CSR 15-6.250; 2/15/01
prehearing conferences; 1 CSR 15-5.470, 1 CSR 15-6.470;
 2/15/01
service of filing; 1 CSR 15-5.270, 1 CSR 15-6.270; 2/15/01
stays or suspensions; 1 CSR 15-3.320, 1 CSR 15-5.320, 1 CSR
 15-6.320; 2/15/01
subject matter; 1 CSR 15-2.200, 1 CSR 15-3.200; 2/15/01
transcripts; 1 CSR 15-5.510, 1 CSR 15-6.510; 2/15/01

AGING, DIVISION OF

Alzheimer's project; 13 CSR 15-10.070; 5/15/00, 10/2/00
appeals; 13 CSR 15-4.090; 10/2/00, 2/15/01
area agency
 director; 13 CSR 15-4.135; 10/2/00, 2/15/01
election procedures; 13 CSR 15-4.105; 10/2/00, 2/15/01
fiscal management; 13 CSR 15-4.170; 10/2/00, 2/15/01
governing body; 13 CSR 15-4.100; 10/2/00, 2/15/01
plan; 13 CSR 15-4.140; 10/2/00, 2/15/01
 review and submission; 13 CSR 15-4.160; 10/2/00,
 2/15/01
service delivery system; 13 CSR 15-4.190; 10/2/00, 2/15/01
subgrants, contracts; 13 CSR 15-4.200; 10/2/00, 2/15/01
certification; 13 CSR 15-9.010; 1/2/01
corporate eldercare; 13 CSR 15-4.310; 10/2/00, 2/15/01
definitions; 13 CSR 15-7.005; 6/15/00, 10/2/00; 13 CSR 15-4.010; 10/2/00, 2/15/01
funding acquisition; 13 CSR 15-4.175; 10/2/00, 2/15/01
funding formula, fiscal management; 13 CSR 15-4.050; 2/15/01
information, assistance; 13 CSR 15-4.290; 10/2/00, 2/15/01
 service standards; 13 CSR 15-7.050; 10/2/00, 2/15/01
legal assistance; 13 CSR 15-4.270; 10/2/00, 2/15/01
multipurpose senior center; 13 CSR 15-4.230; 10/2/00, 2/15/01
nutrition service requirements; 13 CSR 15-4.240; 13 CSR 15-7.060; 6/15/00, 10/2/00
record keeping, confidentiality; 13 CSR 15-4.300; 10/2/00,
 2/15/01
requirements, all service providers; 13 CSR 15-7.010; 10/2/00,
 2/15/01
standards residential care facilities II; 13 CSR 15-15.045; 6/1/00,
 services provided to residents; 13 CSR 15-15.045; 1/16/01
state plan; 13 CSR 15-4.040; 10/2/00, 2/15/01
transportation service standards; 13 CSR 15-7.040; 10/2/00,
 2/15/01
waivers; 13 CSR 15-4.150; 10/2/00, 2/15/01
withdrawal of designation; 13 CSR 15-4.080; 10/2/00, 2/15/01

AGRICULTURE, DEPARTMENT OF

fuel ethanol producer incentive program; 2 CSR 110-1.010;
 7/17/00, 11/1/00

AIR QUALITY, POLLUTION

emissions
 aerospace manufacture; 10 CSR 10-2.025; 9/15/00, 2/15/01
hazardous air pollutants; 10 CSR 10-6.080; 6/15/00, 11/1/00
industrial processes, 10 CSR 10-2.030; 9/15/00, 2/15/01
industrial surface coatings; 10 CSR 10-5.330; 7/3/00,
 12/1/00

lead smelter-refinery installations; 10 CSR 10-6.120; 9/15/00, 2/15/01
particulate matter; 10 CSR 10-3.050, 10 CSR 10-4.030; 10 CSR 10-5.050; 9/15/00, 2/15/01; 10 CSR 10-6.400; 2/1/01
solvent cleanup operations; 10 CSR 10-2.215; 10/2/00
submission of data, fees; 10 CSR 10-6.110; 5/15/00, 10/2/00
incinerators; 10 CSR 10-6.200; 11/15/00
maximum achievable control technology; 10 CSR 10-6.075; 6/15/00, 11/1/00
waiver; 10 CSR 10-5.375; 9/15/00, 2/15/01
new source performance; 10 CSR 10-6.070; 6/15/00, 11/1/00
operating permits; 10 CSR 10-6.065; 5/1/00
petroleum, control of; 10 CSR 10-2.260; 1/2/01
reference methods; 10 CSR 10-6.040; 11/15/00
Reid vapor pressure; 10 CSR 10-2.330; 11/1/00

ANIMAL HEALTH

inspection of meat and poultry; 2 CSR 30-10.010; 10/16/00, 1/2/01, 2/1/01

ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS

fees; 4 CSR 60-6.015; 1/2/01
reexamination fees; 4 CSR 30-6.020; 1/2/01

ASSISTIVE TECHNOLOGY PROGRAM

telecommunication access; 8 CSR 70-1.010; 9/1/00, 12/15/00, 2/1/01

ATHLETIC TRAINERS, REGISTRATION OF

applicants; 4 CSR 150-6.020; 3/1/00, 8/15/00, 11/15/00
examination; 4 CSR 150-6.025; 3/1/00, 8/15/00, 11/15/00
name, address, physician changes; 4 CSR 150-6.070; 3/1/00, 8/15/00, 11/15/00
registration; 4 CSR 150-6.030; 3/1/00, 8/15/00, 11/15/00
renewal; 4 CSR 150-6.060; 3/1/00, 8/15/00, 11/15/00

ATTORNEY GENERAL, OFFICE OF THE

no-call database
access; 15 CSR 60-13.060; 10/16/00, 2/1/01
carrier may revoke notice; 15 CSR 60-13.050; 10/16/00, 2/1/01
change of telephone number; 15 CSR 60-13.040; 10/16/00, 2/1/01
definitions; 15 CSR 60-13.010; 10/16/00, 2/1/01
notice of objection; 15 CSR 60-13.020; 10/16/00, 2/1/01
duration; 15 CSR 60-13.030; 10/16/00, 2/1/01
other matters; 15 CSR 60-13.070; 10/16/00, 2/1/01
reporting motor vehicle stops
definitions; 15 CSR 60-10.010; 9/15/00, 2/15/01
forms; 15 CSR 60-10.030; 9/15/00
law enforcement agencies; 15 CSR 60-10.020; 9/15/00, 2/15/01

AUDITOR, OFFICE OF THE STATE

calculation and revision of property tax; 15 CSR 40-3.120; 8/15/00, 1/16/01
control of fixed assets; 15 CSR 40-2.031; 6/15/00
revision of property tax rates
other than school districts; 15 CSR 40-3.110; 8/15/00, 1/16/01
school districts; 15 CSR 40-3.100; 8/15/00, 1/16/01

BARBER EXAMINERS, STATE BOARD OF

fees; 4 CSR 60-1.025; 1/2/01
identification; 4 CSR 60-1.030; 1/2/01
sanitation; 4 CSR 60-4.015; 1/2/01

BINGO

electronic bingo card monitoring device; 11 CSR 45-30.600; 11/15/00

BLIND, REHABILITATION SERVICES FOR THE

prevention of blindness program; 13 CSR 40-91.030; 9/15/00, 1/16/01

CAFETERIA PLAN

cafeteria plan; 1 CSR 10-15.010; 1/16/01

CANCER

reporting of cases; 19 CSR 70-21.010; 7/17/00, 11/15/00

CEMETERIES, ENDOWED CARE

advisory committee; 4 CSR 65-1.020; 5/15/00, 9/1/00
complaint handling, disposition; 4 CSR 65-1.050; 5/15/00, 9/1/00
converting to nonendowed; 4 CSR 65-2.020; 5/15/00, 9/1/00
definitions; 4 CSR 65-1.030; 5/15/00, 9/1/00
election to operate; 4 CSR 65-2.030; 5/15/00, 9/1/00
fees; 4 CSR 65-1.060; 5/15/00, 9/1/00
land surveyor's statement, location; 4 CSR 65-2.040; 5/15/00, 9/1/00
name, address changes; 4 CSR 65-1.040; 5/15/00, 9/1/00

CHILDREN

federal funds for child care services; 13 CSR 40-32.020; 1/16/01
child fatality review process; 13 CSR 40-31.050; 1/16/01

CHILD SUPPORT ENFORCEMENT

cooperation requirement; 13 CSR 30-8.010; 5/1/00, 9/1/00
obligation guidelines; 13 CSR 30-5.010; 7/17/00, 11/1/00, 12/15/00
reimbursable expenditures; 13 CSR 30-3.010; 7/17/00, 11/1/00

CHIROPRACTIC EXAMINERS, STATE BOARD OF

corporations, professional; 4 CSR 70-2.100; 4/17/00, 9/15/00
examination; 4 CSR 70-2.050; 4/17/00, 9/15/00
fees; 4 CSR 70-2.090; 5/15/00, 9/15/00
license renewal, annual; 4 CSR 70-2.080; 5/15/00, 9/15/00
Meridian therapy, acupressure, acupuncture; 4 CSR 70-2.031; 5/15/00, 9/15/00

CLEAN WATER COMMISSION

certification, operators; 10 CSR 20-14.020; 12/15/00
concentrated animal feeding operation; 10 CSR 20-14.010; 12/15/00
operator training; 10 CSR 20-14.030; 12/15/00
fees; 10 CSR 20-6.011; 12/15/00
water quality certification; 10 CSR 20-6.060; 12/15/00

COMMUNICABLE DISEASES

definitions; 19 CSR 20-20.010; 7/3/00, 10/16/00
duties of laboratories; 19 CSR 20-20.080; 7/3/00, 10/16/00, 12/1/00
HIV test consultation, reporting; 19 CSR 20-26.030; 7/3/00, 10/16/00
physician; 19 CSR 20-26.040; 7/3/00, 10/16/00
immunization, day care; 19 CSR 20-28.040; 7/17/00, 10/16/00
notification; 19 CSR 20-26.070; 7/3/00, 10/16/00
reporting; 19 CSR 20-20.020; 7/3/00, 10/16/00
tuberculosis testing; 19 CSR 20-20.100; 7/17/00, 10/16/00

CONSERVATION COMMISSION

areas; 3 CSR 10-4.115; 9/1/00, 11/15/00, 2/1/01
deer; 3 CSR 10-7.435; 9/1/00, 11/15/00
endangered species; 3 CSR 10-4.111; 2/1/01

falconry; 3 CSR 10-9.442; 10/2/00
 fish, other; 3 CSR 10-6.550; 7/3/00, 9/15/00
 migratory game birds; 3 CSR 10-7.440; 10/2/00
 permits
 nonresident landowner firearms
 archer's hunting; 3 CSR 10-5.580; 9/1/00, 11/15/00
 any-deer hunting; 3 CSR 10-5.576; 9/1/00, 11/15/00
 deer hunting; 3 CSR 10-5.575; 9/1/00, 11/15/00
 first bonus deer hunting; 3 CSR 10-5.577; 9/1/00, 11/15/00
 second bonus deer hunting; 3 CSR 10-5.578; 9/1/00, 11/15/00
 turkey hunting; 3 CSR 10-5.579; 9/1/00, 11/15/00
 required; 3 CSR 10-5.205; 11/1/00
 signed and carried; 3 CSR 10-5.210; 6/1/00
 trout; 3 CSR 10-5.430; 7/3/00, 9/15/00
 turkeys; 3 CSR 10-7.455; 9/1/00, 11/15/00, 1/2/01

CONTROLLED SUBSTANCES, REGULATED CHEMICALS

administering in emergency room; 19 CSR 30-1.068; 5/15/00, 10/16/00
 definitions; 19 CSR 30-1.011; 5/15/00, 10/16/00; 19 CSR 30-2.010; 5/15/00, 9/15/00
 dispensing
 by individual practitioners; 19 CSR 30-1.066; 5/15/00, 10/16/00
 Schedule II, emergency; 19 CSR 30-1.070; 5/15/00, 10/16/00
 Schedule V; 19 CSR 30-1.072; 5/15/00, 10/16/00
 without a prescription; 19 CSR 30-1.074; 5/15/00, 10/16/00
 disposing of unwanted substances; 19 CSR 30-1.036, 19 CSR 30-1.078; 5/15/00, 10/16/00
 emergency distribution by pharmacy; 19 CSR 30-1.076; 5/15/00, 10/16/00
 excepted substances; 19 CSR 30-1.004, 19 CSR 30-1.020; 5/15/00, 10/16/00
 excluded veterinary anabolic steroid implant products; 19 CSR 30-1.008; 5/15/00, 10/16/00
 exempt anabolic steroid products; 19 CSR 30-1.006, 19 CSR 30-1.025; 5/15/00, 10/16/00
 fees; 19 CSR 30-1.013; 5/15/00, 10/16/00
 hearing procedures; 19 CSR 30-1.033; 5/15/00, 10/16/00
 inventory requirements; 19 CSR 30-1.042; 5/15/00, 10/16/00
 investigative, administrative procedures; 19 CSR 30-1.027; 5/15/00, 10/16/00
 lawful prescribing, dispensing, administering; 19 CSR 30-1.060; 5/15/00, 10/16/00
 list of regulated chemicals; 19 CSR 30-2.020; 5/15/00, 9/15/00
 manufacturers, distributors, importers, exporters; 19 CSR 30-1.046; 5/15/00, 10/16/00
 physical security; 19 CSR 30-1.031; 5/15/00, 10/16/00
 prescribing, dispensing, administering; 19 CSR 30-1.035; 5/15/00, 10/16/00
 prescriptions; 19 CSR 30-1.062; 5/15/00, 10/16/00
 partial filling, Schedule II; 19 CSR 30-1.064; 5/15/00, 10/16/00
 records
 chemical analysts; 19 CSR 30-1.050; 5/15/00, 10/16/00
 long-term care facilities; 19 CSR 30-1.052; 5/15/00, 10/16/00
 practitioners, researchers; 19 CSR 30-1.048; 5/15/00, 10/16/00
 regulated chemicals; 19 CSR 30-2.080; 5/15/00, 9/15/00
 requirements; 19 CSR 30-1.041; 5/15/00, 10/16/00
 general; 19 CSR 30-1.044; 5/15/00, 10/16/00
 registration
 changes; 19 CSR 30-1.023; 5/15/00, 10/16/00; 19 CSR 30-

2.060; 5/15/00, 9/15/00
 fees; 19 CSR 30-2.030; 5/15/00, 9/15/00
 3 year cycle; 19 CSR 30-1.015; 5/15/00, 10/16/00
 location; 19 CSR 30-1.019; 5/15/00, 10/16/00
 process; 19 CSR 30-1.017; 5/15/00, 10/16/00; 19 CSR 30-2.040; 5/15/00
 requirements; 19 CSR 30-1.030; 5/15/00, 10/16/00
 separate; 19 CSR 30-1.026; 5/15/00, 10/16/00; 19 CSR 30-2.070; 5/15/00, 9/15/00
 schedules of controlled substances; 19 CSR 30-1.002, 19 CSR 30-1.010; 5/15/00, 10/16/00
 security for
 nonpractitioners; 19 CSR 30-1.032; 5/15/00, 10/16/00
 practitioners; 19 CSR 30-1.034; 5/15/00, 10/16/00
 requirements, reports of theft; 19 CSR 30-2.090; 5/15/00, 9/15/00

COSMETOLOGY, STATE BOARD OF

fees; 4 CSR 90-13.010; 1/2/01
 reciprocity; 4 CSR 90-7.010; 2/1/01
 sanitation; 4 CSR 90-11.010; 2/1/01
 shops; 4 CSR 90-4.010; 8/15/00, 12/1/00

CREDIT UNIONS

external deposits; 4 CSR 100-2.220; 1/16/01
 investments in fixed assets; 4 CSR 100-2.185; 1/16/01
 member business loans; 4 CSR 100-2.045; 4/17/00, 8/1/00, 12/15/00

DENTAL BOARD, MISSOURI

certification, dental specialists; 4 CSR 110-2.090; 5/15/00, 9/15/00

DRIVERS LICENSE BUREAU RULES

classes; 12 CSR 10-24.200, 8/1/00, 11/15/00
 deletion of convictions; 12 CSR 10-24.050; 6/1/00, 9/15/00
 instruction permits; 12 CSR 10-24.402; 11/15/00
 issuance of license
 nondriver; 12 CSR 10-24.110; 7/3/00, 10/16/00
 not received after mailing; 12 CSR 10-24.140; 7/3/00, 10/16/00
 procedures; 12 CSR 10-24.070; 8/1/00, 11/15/00
 persons under age of 21; 12 CSR 10-24.100; 7/3/00, 10/16/00
 Privacy Protection Act; 12 CSR 10-24.460; 7/3/00, 11/1/00
 retesting requirements; 12 CSR 10-24.190; 8/1/00, 11/15/00
 Social Security number; 12 CSR 10-24.310; 7/3/00

ELEMENTARY AND SECONDARY EDUCATION

A+ schools program; 5 CSR 60-120.060 (changed to 5 CSR 50-350.040); 11/1/00
 certificate to teach
 administrators; 5 CSR 80-800.220; 6/1/00, 10/2/00, 10/2/00
 application; 5 CSR 80-800.200; 6/1/00, 10/2/00
 adult education and literacy; 5 CSR 80-800.280; 6/1/00
 alternative, special assignment; 5 CSR 80-800.260; 6/1/00, 10/2/00
 individuals from another state; 5 CSR 80-800.210; 6/1/00, 10/2/00
 pupil personnel services; 5 CSR 80-800.230; 6/1/00, 10/2/00
 vocational-technical; 5 CSR 80-800.270; 6/1/00, 10/2/00
 assessments, required; 5 CSR 80-800.380; 6/1/00, 10/2/00
 classifications; 5 CSR 80-800.360; 6/1/00, 10/2/00
 content areas; 5 CSR 80-800.350; 6/1/00, 10/2/00
 fees; 5 CSR 80-800.370; 6/1/00, 10/2/00
 certification standards; 5 CSR 80-800.010; 6/1/00, 10/2/00

Early Childhood Development Act; 5 CSR 50-270.010; 9/1/00, 1/2/01
effectiveness of remediation; 5 CSR 30-345.011; 11/1/00
extraordinary cost fund; 5 CSR 70-742.170; 9/1/00, 1/2/01
grant award program
 vocational-technical enhancement; 5 CSR 60-120.070; 8/15/00, 1/2/01
Individuals with Disabilities Act; 5 CSR 70-742.141; 1/16/01, 2/15/01
professional education programs; 5 CSR 80-805.015; 9/1/00, 1/2/01
 preliminary approval; 5 CSR 80-805.016; 9/1/00, 1/2/01
read to be ready grant program; 5 CSR 50-378.100; 11/1/00
reimbursement for education; 5 CSR 30-4.020; 8/15/00, 1/2/01
school buses, operation; 5 CSR 30-261.010; 11/1/00
service providers, standards; 5 CSR 90-4.120; 1/16/01
student suicide prevention; 5 CSR 60-120.080; 1/16/01
transportation, pupils in other than school buses; 5 CSR 30-261.045; 5/1/00, 9/15/00
veterans' education
 approval of courses; 5 CSR 60-900.050; 8/15/00, 1/2/01
vocational rehabilitation
 services; 5 CSR 90-5.400; 1/16/01
 training; 5 CSR 90-5.440; 1/16/01
workforce investment; 5 CSR 60-480.100; 8/15/00, 1/2/01

ELEVATORS

inspections, testing; 11 CSR 40-5.090; 10/2/00, 1/16/01
inspectors; 11 CSR 40-5.120; 9/15/00, 10/2/00, 1/16/01
installations, new; 11 CSR 40-5.050; 10/2/00, 1/16/01
registration; 11 CSR 40-5.040; 10/2/00, 1/16/01
safety codes for equipment; 11 CSR 40-5.065; 10/2/00, 1/16/01

EMBALMERS AND FUNERAL DIRECTORS

fees; 4 CSR 120-2.100; 10/2/00, 1/16/01

EMERGENCY MEDICAL SERVICES

regions, committees; 13 CSR 30-40.302; 1/2/01

EMPLOYMENT SECURITY

charges, copies, records; 8 CSR 10-2.020; 5/15/00, 9/1/00

ENERGY ASSISTANCE

home energy assistance; 13 CSR 40-19.020; 10/2/00, 1/16/01

FAMILY CARE SAFETY REGISTRY

definitions; 19 CSR 30-80.010; 11/1/00
general; 19 CSR 30-80.020; 11/1/00
updates and appeals; 19 CSR 30-80.040; 11/1/00
worker registration; 19 CSR 30-80.030; 11/1/00

FINANCE, DIVISION OF

accounting for other real estate; 4 CSR 140-2.070; 2/1/01
financial subsidiaries; 4 CSR 140-2.138; 2/1/01
trust representative offices; 4 CSR 140-6.085; 2/1/01

GAMING COMMISSION

access to boat for employment; 11 CSR 45-17.015; 11/15/00
cards, specifications; 11 CSR 45-5.183; 8/15/00, 1/2/01
definitions; 11 CSR 45-1.090; 5/1/00, 9/15/00
disciplinary actions, hearings; 11 CSR 45-31.005; 11/15/00
occupational license
 application, fees; 11 CSR 45-4.380; 11/15/00
 duty to report; 11 CSR 45-10.110; 11/15/00
 renewal; 11 CSR 45-4.390; 11/15/00
patrons, not eligible for winnings; 11 CSR 45-5.065; 2/1/01

payout percentage, progressive games; 11 CSR 45-5.075; 6/15/00, 10/16/00
refund, claim for refund; 11 CSR 45-11.110; 7/3/00, 12/15/00

GEOLOGIST REGISTRATION, MISSOURI BOARD OF

complaints, appeals, examination; 4 CSR 145-2.055; 8/15/00, 12/1/00
licensure by reciprocity; 4 CSR 145-2.060; 8/15/00, 12/1/00
registrant in-training; 4 CSR 145-2.070; 8/15/00, 12/1/00

HEALTH CARE PLAN, MISSOURI CONSOLIDATED

co-pay plan
 benefit provisions, covered charges; 22 CSR 10-2.055; 1/16/01
 limitations; 22 CSR 10-2.060; 1/16/01
 summary of medical benefits; 22 CSR 10-2.045; 1/16/01
coordination of benefits; 22 CSR 10-2.070; 1/16/01
definitions; 22 CSR 10-2.010; 1/16/01
HMO/POS
 limitations; 22 CSR 10-2.067; 1/16/01
HMO/POS/POS98
 summary of medical benefits; 22 CSR 10-2.063; 1/16/01
HMO/POS premium option
 summary of medical benefits; 22 CSR 10-2.063; 1/16/01
HMO/POS standard option
 summary of medical benefits; 22 CSR 10-2.063; 1/16/01
indemnity plan
 benefit provisions, covered charges; 22 CSR 10-2.050; 1/16/01
 limitations; 22 CSR 10-2.060; 1/16/01
 summary of medical benefits; 22 CSR 10-2.040; 1/16/01
membership agreement, participation period; 22 CSR 10-2.020; 1/16/01
miscellaneous provisions; 22 CSR 10-2.080; 1/16/01
PPO plan
 benefit provisions, covered charges; 22 CSR 10-2.055; 1/16/01
 limitations; 22 CSR 10-2.060; 1/16/01
review, appeals procedures; 22 CSR 10-2.075; 1/16/01
staff model
 summary of medical benefits; 22 CSR 10-2.065; 1/16/01

HEALTH MAINTENANCE ORGANIZATIONS (HMOs)

monitoring; 19 CSR 10-5.010; 10/16/00

HIGHER EDUCATION

eligibility, student loan; 6 CSR 10-2.030; 12/1/00
proprietary schools; 6 CSR 10-5.010; 12/1/00

HIGHWAYS AND TRANSPORTATION COMMISSION

adopt-a-highway program
 agreement; 7 CSR 10-14.040; 3/15/00, 8/15/00, 12/15/00
 termination, modification; 7 CSR 10-14.060; 3/15/00, 8/15/00, 12/15/00
application; 7 CSR 10-14.030; 3/15/00, 8/15/00, 12/15/00
definitions; 7 CSR 10-14.020; 3/15/00, 8/15/00, 12/15/00
purpose; 7 CSR 10-14.010; 3/15/00, 8/15/00, 12/15/00
sign specifications; 7 CSR 10-14.050; 3/15/00, 8/15/00, 12/15/00
contractor performance rating system
 annual rating; 7 CSR 10-10.070; 1/2/01
 categories; 7 CSR 10-10.030; 1/2/01
 definitions; 7 CSR 10-10.010; 1/2/01
 determination of nonresponsibility; 7 CSR 10-10.080; 1/2/01

questionnaire; 7 CSR 10-10.040; 1/2/01
 completing; 7 CSR 10-10.050; 1/2/01
 reservation of rights; 7 CSR 10-10.090; 1/2/01
 standard deviation; 7 CSR 10-10.060; 1/2/01
 organization; 7 CSR 10-1.010; 7/17/00, 12/15/00

HOSPICES

direct care; 19 CSR 30-35.020; 2/15/01
 program operations; 19 CSR 30-35.010; 2/15/01
 state certification management; 19 CSR 30-35.030; 2/15/01

HOSPITALS

psychiatric, administration standards; 19 CSR 30-24.020;
 7/17/00, 12/15/00

HUMAN RIGHTS, MISSOURI COMMISSION ON

employment practices; 8 CSR 60-3.040; 2/1/01

IMMUNIZATIONS

day care rules; 19 CSR 20-28.040; 2/15/01

INDUSTRIAL MINERALS

application; 10 CSR 40-10.020; 6/15/00
 definitions; 10 CSR 40-10.100; 6/15/00
 permits
 requirements; 10 CSR 40-10.010; 6/15/00
 review; 10 CSR 40-10.040; 6/15/00

INSURANCE, DEPARTMENT OF

accounting standards and principles; 20 CSR 200-1.020; 1/16/01
 actuary; 20 CSR 200-1.110; 1/16/01
 definitions; 20 CSR 500-10.100; 10/2/00
 financial regulation; 20 CSR 500-10.200; 1/16/01
 financial standards
 health maintenance organizations; 20 CSR 200-1.040;
 1/16/01
 prepaid dental plans; 20 CSR 200-1.050; 1/16/01
 medical malpractice award; 20 CSR; 3/1/99, 3/1/00
 mortality tables; 20 CSR 400-1.130; 8/1/00, 11/15/00
 referenced or adopted materials; 20 CSR 10-1.020; 1/16/01
 sovereign immunity limits; 20 CSR; 3/15/00
 standard to establish credentials; 20 CSR 400-7.180; 7/17/00,
 1/2/01
 valuation
 life insurance; 20 CSR 200-1.160; 7/17/00, 11/15/00
 minimum standards; 20 CSR 200-1.140; 1/16/01
 unfair acts or practices; 20 CSR 500-10.300; 10/2/00
 workers' compensation managed care organizations; 20 CSR 500-
 6.700; 5/1/00, 10/2/00, 2/1/01

INTERPRETERS, MISSOURI STATE COMMITTEE OF

fees; 4 CSR 232-1.040; 1/2/01
 principles, general; 4 CSR 232 3.010; 1/2/01

LABOR STANDARDS, DIVISION OF

prevailing wage rates
 public works projects; 8 CSR 30-3.010; 5/1/00, 9/1/00,
 12/15/00
 training wage; 8 CSR 30-4.030; 5/1/00, 9/1/00

LAND RECLAMATION COMMISSION

air resource protection; 10 CSR 40-3.240; 5/1/00, 9/15/00
 auger mining; 10 CSR 40-4.020; 5/1/00, 9/15/00
 backfilling and grading; 10 CSR 40-3.110; 5/1/00, 9/15/00
 bond requirements; 10 CSR 40-7.011; 5/1/00, 9/15/00
 casing and sealing of drill holes; 10 CSR 40-3.020; 5/1/00,
 9/15/00

coal exploration; 10 CSR 40-4.010; 5/1/00, 9/15/00
 requirements; 10 CSR 40-6.020; 5/1/00, 9/15/00
 coal processing plants; 10 CSR 40-4.050; 5/1/00, 9/15/00
 definitions; 10 CSR 40-8.010; 5/1/00, 9/15/00
 disposal of coal processing waste; 10 CSR 40-3.080; 5/1/00,
 9/15/00
 duration, release of liability; 10 CSR 40-7.021; 5/1/00, 9/15/00
 information on environmental resources; 10 CSR 40-6.040;
 5/1/00, 9/15/00
 inspection, enforcement; 10 CSR 40-8.030; 5/1/00, 9/15/00
 operations on prime farmland; 10 CSR 40-4.030; 5/1/00, 9/15/00
 permits; 10 CSR 40-6.010; 5/1/00; 9/15/00
 applications; 10 CSR 40-6.030; 5/1/00; 9/15/00
 legal, financial, compliance; 10 CSR 40-6.100; 5/1/00,
 9/15/00
 reclamation, operation plan; 10 CSR 40-6.120; 5/1/00,
 9/15/00
 review, public participation, approval; 10 CSR 40-6.070;
 5/1/00, 9/15/00
 reviews, revisions, renewals; 10 CSR 40-6.090; 5/1/00,
 9/15/00
 special categories; 10 CSR 40-6.060; 5/1/00, 9/15/00
 prohibitions, areas; 10 CSR 40-5.010; 5/1/00, 9/15/00
 protection
 air resources; 10 CSR 40-3.090; 5/1/00, 9/15/00
 hydrologic balance; 10 CSR 40-3.040; 5/1/00, 9/15/00
 underground operations; 10 CSR 40-3.200; 5/1/00, 9/15/00
 reclamation; 10 CSR 40-9.020; 5/1/00, 9/15/00
 operations plan; 10 CSR 40-6.050; 5/1/00, 9/15/00
 requirements, general; 10 CSR 40-8.070; 5/1/00, 9/15/00
 revegetation; 10 CSR 40-3.120; 5/1/00, 9/15/00
 underground operations; 10 CSR 40-3.270; 5/1/00, 9/15/00
 road, transportation requirements; 10 CSR 40-3.140; 5/1/00,
 9/15/00
 signs and markers; 10 CSR 40-3.010; 5/1/00, 9/15/00
 small operator's assistance; 10 CSR 40-8.050; 5/1/00, 9/15/00
 use of explosives; 10 CSR 40-3.050; 5/1/00, 9/15/00

LANDSCAPE ARCHITECTURAL COUNCIL

application; 4 CSR 196-2.020; 7/3/00, 10/16/00
 business associations; 4 CSR 196-10.010; 7/3/00, 10/16/00
 complaints; 4 CSR 196-7.010; 7/3/00, 10/16/00
 examination; 4 CSR 196-5.020; 7/3/00, 10/16/00
 adoption, admission; 4 CSR 196-5.010; 7/3/00, 10/16/00
 passing score; 4 CSR 196-5.030; 7/3/00, 10/16/00
 filing deadline; 4 CSR 196-2.010; 7/3/00, 10/16/00
 organization; 4 CSR 196-1.020; 7/3/00, 10/16/00
 registration; 4 CSR 196-6.010; 7/3/00, 10/16/00
 seal, official; 4 CSR 196-8.010; 7/3/00, 10/16/00

LEGAL SERVICES, DIVISION OF

organization; 13 CSR 45-2.010; 1/16/01

LOTTERY, STATE

breakage; 12 CSR 40-85.150; 7/3/00, 10/16/00
 licensees to read rules; 12 CSR 40-40.230; 10/2/00, 2/1/01
 licenses
 special events; 12 CSR 40-40.250; 10/2/00, 2/1/01
 nonsufficient funds checks/EFT debits; 12 CSR 40-20.030;
 10/2/00, 2/1/01
 on-line game
 contract provisions; 12 CSR 40-85.010; 7/3/00, 10/16/00
 defined; 12 CSR 40-85.005; 7/3/00, 10/16/00
 limitations; 12 CSR 40-85.060; 7/3/00, 10/16/00
 payment of prizes; 12 CSR 40-85.080; 7/3/00, 10/16/00
 prize amounts; 12 CSR 40-85.050; 7/3/00, 10/16/00
 ticket validation; 12 CSR 40-85.030; 7/3/00, 10/16/00

pick-3 game; 12 CSR 40-85.110; 7/3/00, 10/16/00
prize amounts; 12 CSR 40-85.130; 7/3/00, 10/16/00
prize pool; 12 CSR 40-85.160; 7/3/00, 10/16/00
winning tickets; 12 CSR 40-85.120; 7/3/00, 10/16/00
prizes
claiming; 12 CSR 40-60.030; 10/2/00, 2/1/01
other than cash; 12 CSR 40-60.010; 10/2/00, 2/1/01
pull-tab game; 12 CSR 40-95.010; 7/3/00, 10/16/00
times, drawing, selling; 12 CSR 40-85.140; 7/3/00, 10/16/00

MATERNAL, CHILD AND FAMILY HEALTH

child, adult care food program; 19 CSR 40-5.050; 5/15/00,
9/1/00

MEDICAID

copayment, pharmacy services; 13 CSR 70-4.051; 6/15/00,
10/16/00
disproportionate share hospitals; 13 CSR 70-15.010; 6/1/00,
10/2/00, 11/1/00
drugs
31 day supply maximum; 13 CSR 70-20.045; 8/1/00,
12/15/00, 1/2/01
covered; 13 CSR 70-20.030; 8/1/00, 11/15/00
excluded; 13 CSR 70-20.032; 8/1/00, 1/2/01
with authorization; 13 CSR 70-20.031; 8/1/00,
12/15/00, 1/2/01
list of nonexcludable, prior authorization; 13 CSR 70-
20.034; 8/1/00, 12/15/00, 1/2/01
federal reimbursement allowance; 13 CSR 70-15.110; 4/17/00,
9/15/00
personal care program; 13 CSR 70-91.010; 1/16/01
Title XIX provider enrollment; 13 CSR 70-3.020; 10/2/00

MENTAL HEALTH, DEPARTMENT OF

admission criteria; 9 CSR 30-4.042; 8/1/00, 12/1/00
medication aides; 9 CSR 45-3.070; 2/1/01
purchasing client services; 9 CSR 25-2.105; 12/1/00
solicitation procedures; 9 CSR 25-2.305; 12/1/00

MINORITY/WOMEN BUSINESS ENTERPRISE

certification; 1 CSR 10-17.040; 5/1/00, 9/1/00
participation in procurement process; 1 CSR 10-17.050; 5/1/00,
9/1/00

MOTOR CARRIER AND RAILROAD SAFETY

insurance; 4 CSR 265-10.030; 1/16/01

MOTOR VEHICLE

filing report of accident; 12 CSR 10-25.050; 10/2/00, 1/16/01
financial responsibility
failure to show proof of; 12 CSR 10-25.130; 10/2/00,
1/16/01
inoperable/stored vehicles; 12 CSR 10-25.140; 10/2/00,
1/16/01
sampling; 12 CSR 10-25.150; 10/2/00, 1/16/01
hearings; 12 CSR 10-25.030; 7/3/00, 10/16/00, 2/1/01
notice of lien; 12 CSR 10-23.446; 7/17/00

MOTOR VEHICLE INSPECTION DIVISION

glazing glass; 11 CSR 50-2.270; 10/16/00, 2/15/01
motorcycle inspection; 11 CSR 50-2.330; 10/16/00, 2/15/01
school bus inspection; 11 CSR 50-2.320; 10/16/00, 2/15/01
steering mechanisms; 11 CSR 50-2.200; 10/16/00, 2/15/01

NURSING HOME ADMINISTRATORS

retired licensure status; 13 CSR 73-2.051; 12/1/00

NURSING HOME PROGRAM

enhancement pools; 13 CSR 70-10.150; 12/15/00
nonstate-operated facilities; 13 CSR 70-10.030; 10/16/00
pediatric care plan; 13 CSR 70-10.050; 8/1/00, 9/1/00, 1/2/01
reimbursement
allowance; 13 CSR 70-10.110; 4/3/00, 9/1/00
nursing facility services; 13 CSR 70-10.015; 8/1/00, 9/1/00,
11/15/00, 1/2/01
HIV; 13 CSR 70-10.080; 8/1/00, 9/1/00, 1/2/01

NURSING, STATE BOARD OF

fees; 4 CSR 200-4.010; 7/3/00, 10/16/00, 1/16/01
licensure; 4 CSR 200-4.020; 6/15/00, 10/2/00
mandatory reporting; 4 CSR 200-4.040; 8/15/00, 12/1/00
practical nursing
accreditation; 4 CSR 200-3.010; 1/2/01
definitions; 4 CSR 200-3.001; 1/2/01
performance, licensure exam; 4 CSR 200-3.180; 1/2/01
programs
discontinuing, reopening; 4 CSR 200-3.020; 1/2/01
organization; 4 CSR 200-3.050; 1/2/01
publication; 4 CSR 200-3.120; 1/2/01
records; 4 CSR 200-3.110; 1/2/01
sponsorship; 4 CSR 200-3.030; 1/2/01
professional nursing
accreditation; 4 CSR 200-2.010; 1/2/01
definitions; 4 CSR 200-2.001; 1/2/01
performance, licensure exam; 4 CSR 200-2.180; 1/2/01
programs
discontinuing, reopening; 4 CSR 200-2.020; 1/2/01
organization; 4 CSR 200-2.050; 1/2/01
publications; 4 CSR 200-2.120; 1/2/01
records; 4 CSR 200-2.110; 1/2/01
sponsorship; 4 CSR 200-2.030; 1/2/01

OCCUPATIONAL THERAPY, MISSOURI BOARD OF

application; 4 CSR 205-3.030; 7/3/00, 10/16/00
license renewal; 4 CSR 205-3.040; 7/3/00, 10/16/00
supervision, aides; 4 CSR 205-4.030; 10/2/00, 1/16/01

PARKS, DIVISION OF STATE

definitions; 10 CSR 90-2.010; 12/1/00
fencing on park-owned property; 10 CSR 90-2.070; 12/1/00
management; 10 CSR 90-2.020; 12/1/00
organized group camps; 10 CSR 90-2.050; 12/1/00
outdoor education center; 10 CSR 90-2.060; 12/1/00
property; 10 CSR 90-2.040; 12/1/00
recreational activities; 10 CSR 90-2.030; 12/1/00

PEACE OFFICER STANDARDS AND TRAINING PROGRAM (POST)

certification
eligibility; 11 CSR 75-3.020; 12/1/00
requirements and terms; 11 CSR 75-3.030; 7/17/00,
11/1/00, 2/15/01
continuing education
completion; 11 CSR 75-11.030; 9/15/00, 1/2/01
course providers; 11 CSR 75-11.070; 9/15/00, 1/2/01
failing to maintain requirements; 11 CSR 75-11.040;
9/15/00, 1/2/01
minimum requirements; 11 CSR 75-11.010; 9/15/00, 1/2/01
trainee attendance, performance; 11 CSR 75-11.020;
9/15/00, 1/2/01
trainee attendance, performance; 11 CSR 75-6.020; 6/15/00,
9/15/00
training
certifying basic courses; 11 CSR 75-6.030; 6/15/00, 10/2/00

PERSONNEL ADVISORY BOARD AND DIVISION OF PERSONNEL

hours of work and holidays; 1 CSR 20-5.010; 5/15/00, 9/15/00, 12/15/00
leaves of absence; 1 CSR 20-5.020; 5/15/00, 9/15/00, 12/15/00
management training; 1 CSR 20-6.010; 12/15/00

PHARMACY, STATE BOARD OF

31 day supply restriction; 13 CSR 70-20.045; 1/2/01
automated dispensing, storage systems; 4 CSR 220-2.900; 12/1/00
computer-generated drug pricing tape; 13 CSR 70-20.070; 1/16/01
definitions and standards; 4 CSR 220-5.030; 12/1/00
drug distributor licensing; 4 CSR 220-5.020; 12/1/00
drug repackaging; 4 CSR 220-2.130; 9/1/00, 12/15/00
educational, licensing; 4 CSR 220-2.030; 12/1/00
electronic data processing; 4 CSR 220-2.080; 4/17/00, 8/15/00, 12/1/00
electronic transmission of prescription data; 4 CSR 220-2.085; 9/1/00, 12/15/00
long-term care, prescriptions; 4 CSR 220-2.140; 9/1/00, 12/15/00
pharmacist-in-charge; 4 CSR 220-2.090; 12/1/00
prescription requirements; 4 CSR 220-2.018; 12/1/00
record confidentiality, disclosure; 4 CSR 220-2.300; 12/1/00
return of drugs; 13 CSR 70-20.050; 1/16/01
transfer of prescription information for refill; 4 CSR 220-2.120; 9/1/00, 12/15/00

PHYSICAL THERAPISTS, AND ASSISTANTS

applicants; 4 CSR 150-3.010; 10/2/00, 1/16/01
continuing education; 4 CSR 150-3.203; 8/15/00, 11/15/00, 10/2/00, 1/16/01
fees; 4 CSR 150-3.080; 5/15/00, 9/1/00, 10/16/00, 2/1/01
assistants; 4 CSR 150-3.170; 10/16/00
licensure; 4 CSR 150-3.170; 5/15/00, 9/1/00, 2/1/01
registration; 4 CSR 150-3.060; 10/16/00, 2/1/01

PHYSICIAN ASSISTANTS

applicants; 4 CSR 150-7.300; 3/1/00, 8/15/00, 11/15/00
late registration, reinstatement; 4 CSR 150-7.125; 3/1/00, 8/15/00, 11/15/00
fees; 4 CSR 150-7.200; 3/1/00, 8/15/00, 11/15/00
grounds for discipline; 4 CSR 150-7.140; 3/1/00, 8/15/00, 11/15/00
licensure; 4 CSR 150-7.120; 3/1/00, 8/15/00, 11/15/00
applicants; 4 CSR 150-7.100; 3/1/00, 8/15/00, 11/15/00
renewal; 4 CSR 150-7.310; 3/1/00, 8/15/00, 11/15/00
name, address changes, retirement; 4 CSR 150-7.122; 3/1/00, 8/15/00, 11/15/00

PHYSICIANS AND SURGEONS

definitions; 4 CSR 150-2.001; 3/1/00, 8/15/00, 11/15/00
examination; 4 CSR 150-2.005; 3/1/00, 8/15/00, 11/15/00
fees; 4 CSR 150-2.080; 8/15/00, 11/15/00
international medical graduates; 4 CSR 150-2.100; 3/1/00, 8/15/00, 11/15/00
J-1 visa waiver program; 19 CSR 10-4.020; 10/16/00, 1/16/01
temporary license to teach; 4 CSR 150-2.065; 3/1/00, 8/15/00, 11/15/00

PLANT INDUSTRIES

participation, fee payment, penalties; 2 CSR 70-13.030; 10/2/00

PSYCHOLOGISTS, STATE COMMITTEE OF

educational requirements; 4 CSR 235-2.005; 7/3/00, 10/16/00

PUBLIC DRINKING WATER PROGRAM

classification of water systems; 10 CSR 60-14.010; 12/15/00, 2/15/01
operators
certification of ; 10 CSR 60-14.020; 12/15/00, 2/15/01
training; 10 CSR 60-14.030; 12/15/00

PUBLIC SERVICE COMMISSION

gas utilities
reporting requirements; 4 CSR 240-40.020; 1/16/01
safety standards; 4 CSR 240-40.030; 1/16/01
modular unit inspection fee; 4 CSR 240-123.075; 10/16/00
new manufactured homes
inspection fee; 4 CSR 240-120.135; 10/16/00
monthly reports; 4 CSR 240-120.130; 10/16/00
pre-owned manufactured homes
inspection fee; 4 CSR 240-121.185; 10/16/00
monthly reports; 4 CSR 240-121.180; 10/16/00
telecommunications companies
customer disclosure requirements; 4 CSR 240-32.160; 2/1/01
definitions; 4 CSR 240-32.140; 2/1/01
prepaid interexchange calling services; 4 CSR 240-32.130; 2/1/01
qualifications, responsibilities; 4 CSR 240-32.150; 2/1/01
standards; 4 CSR 240-32.170; 2/1/01
surety instrument requirements; 4 CSR 240-32.110; 8/1/00, 11/15/00

PURCHASING AND MATERIALS MANAGEMENT

definitions; 1 CSR 40-1.030; 5/1/00, 9/1/00
organization; 1 CSR 40-1.010; 5/1/00, 9/1/00
solicitation, receipt of bids; 1 CSR 40-1.050; 5/1/00, 9/1/00
vendor registration; 1 CSR 40-1.060; 5/1/00, 9/1/00

RESPIRATORY CARE, MISSOURI BOARD FOR

continuing education; 4 CSR 255-4.010; 7/17/00, 11/1/00

RETIREMENT SYSTEMS

county employees deferred contribution plan
accounts of participants; 16 CSR 50-20.060; 7/3/00, 12/1/00
death benefits; 16 CSR 50-20.080; 7/3/00, 12/1/00
definitions; 16 CSR 50-20.020; 7/3/00, 12/1/00
distribution of accounts; 16 CSR 50-20.070; 7/3/00, 12/1/00
establishment, purpose; 16 CSR 50-20.010; 7/3/00, 12/1/00
limitation on deferral; 16 CSR 50-20.050; 7/3/00, 12/1/00
merger of prior plan; 16 CSR 50-20.100; 7/3/00, 12/1/00
miscellaneous 457 plans; 16 CSR 50-20.110; 7/3/00, 12/1/00
participation; 16 CSR 50-20.030; 7/3/00, 12/1/00
plan administration; 16 CSR 50-20.090; 7/3/00, 12/1/00
county employees defined contribution plan
accounts of participants; 16 CSR 50-10.040; 7/3/00, 12/1/00
contributions; 16 CSR 50-10.030; 7/3/00, 12/1/00
death benefits; 16 CSR 50-10.060; 7/3/00, 12/1/00
definitions; 16 CSR 50-10.010; 7/3/00, 12/1/00
distribution of accounts; 16 CSR 50-10.050; 7/3/00, 12/1/00
miscellaneous rules; 16 CSR 50-10.090; 7/3/00, 12/1/00
participation; 16 CSR 50-10.020; 7/3/00, 12/1/00
plan administration; 16 CSR 50-10.080; 7/3/00, 12/1/00
vesting and service; 16 CSR 50-10.070; 7/3/00, 12/1/00
county employees' retirement fund
administration of fund; 16 CSR 50-2.160; 5/1/00, 11/1/00, 2/15/01
appeal process; 16 CSR 50-1.020; 5/1/00, 11/1/00, 2/15/01

benefits upon participant's death; 16 CSR 50-2.120; 5/1/00, 11/1/00, 2/15/01
buyback of creditable service
before creation of retirement system; 16 CSR 50-3.040; 5/1/00, 11/1/00, 2/15/01
changes when retiree returns to employment; 16 CSR 50-3.080; 5/1/00, 11/1/00, 2/15/01
early buyback; 16 CSR 50-3.090; 5/1/00, 11/1/00, 2/15/01
forfeiture of creditable service; 16 CSR 50-3.050; 5/1/00, 11/1/00, 2/15/01
opt-out by member; 16 CSR 50-3.030; 5/1/00, 11/1/00, 2/15/01
special consultant; 16 CSR 50-3.060; 5/1/00, 11/1/00, 2/15/01
refunds; 16 CSR 50-3.070; 5/1/00, 11/1/00, 2/15/01
calculation of creditable service; 16 CSR 50-3.010; 5/1/00, 11/1/00, 2/15/01
cost-of-living adjustment; 16 CSR 50-2.140; 5/1/00, 11/1/00, 2/15/01
definitions; 16 CSR 50-2.010; 5/1/00, 11/1/00, 2/15/01
direct rollover option; 16 CSR 50-2.130; 5/1/00, 11/1/00, 2/15/01
early retirement benefit; 16 CSR 50-2.100; 5/1/00, 11/1/00, 2/15/01
eligibility for benefits; 16 CSR 50-2.030; 5/1/00, 11/1/00, 2/15/01
eligibility, participation; 16 CSR 50-2.030; 5/1/00, 11/1/00, 2/15/01
employee contributions; 16 CSR 50-2.020; 5/1/00, 11/1/00, 2/15/01
normal retirement benefit; 16 CSR 50-2.090; 5/1/00, 11/1/00, 2/15/01
open records policy; 16 CSR 50-1.030; 5/1/00, 11/1/00, 2/15/01
organization; 16 CSR 50-1.010; 5/1/00, 11/1/00, 2/15/01
payment of benefits; 16 CSR 50-2.035; 5/1/00, 11/1/00, 2/15/01
payroll contributions; 16 CSR 50-2.020; 5/1/00, 11/1/00, 2/15/01
purchase of prior creditable service; 16 CSR 50-3.020; 5/1/00, 11/1/00, 2/15/01
refund of contributions; 16 CSR 50-2.040; 5/1/00, 11/1/00, 2/15/01
rehires; 16 CSR 50-2.110; 5/1/00, 11/1/00, 2/15/01
separation from service before retirement; 16 CSR 50-2.020; 5/1/00, 11/1/00, 2/15/01
service and compensation; 16 CSR 50-2.050; 5/1/00, 11/1/00, 2/15/01
source of pension funds; 16 CSR 50-2.080; 5/1/00, 11/1/00, 2/15/01
survivorship rights, service requirements; 16 CSR 50-2.060; 5/1/00, 11/1/00, 2/15/01
timing of applications, benefit state date; 16 CSR 50-2.035; 5/1/00, 11/1/00, 2/15/01
transition rule, effective date; 16 CSR 50-2.150; 5/1/00, 11/1/00, 2/15/01
Missouri local government employees (LAGERS)
correction of errors; 16 CSR 20-2.060; 10/2/00, 1/16/01
hearings, proceedings; 16 CSR 20-3.010; 10/2/00, 1/16/01
Missouri state employees (MOSERS)
appeals; 16 CSR 30-2.290; 4/17/00, 8/15/00
procedure for retirement; 16 CSR 30-2.240; 4/17/00, 8/15/00
applications
long-term disability; 16 CSR 30-2.181; 4/17/00, 8/15/00
medical review; 16 CSR 30-2.190; 4/17/00, 8/15/00

benefits; 16 CSR 30-2.220; 4/17/00, 8/15/00
denial, long-term; 16 CSR 30-2.241; 4/17/00, 8/15/00
effects; 16 CSR 30-2.242; 4/17/00, 8/15/00
break-in-service; 16 CSR 30-2.270; 4/17/00, 8/15/00
charges for documents; 16 CSR 30-2.130; 4/17/00, 8/15/00
computation of credit; 16 CSR 30-2.140; 4/17/00, 8/15/00
confidentiality of records; 16 CSR 30-2.120; 4/17/00, 8/15/00
cost-of-living allowance; 16 CSR 30-2.260; 4/17/00, 8/15/00
creditable service for person restored to employment; 16 CSR 30-2.300; 4/17/00, 8/15/00
disability appeal procedure; 16 CSR 30-2.240; 4/17/00, 8/15/00
disparity in physician's opinions; 16 CSR 30-2.210; 4/17/00, 8/15/00
earning capacity rule; 16 CSR 30-2.250; 4/17/00, 8/15/00
employee with more than one state job; 16 CSR 30-2.280; 4/17/00, 8/15/00
layoff status; 16 CSR 30-2.320; 4/17/00, 8/15/00
military service
credit for; 16 CSR 30-2.030; 4/17/00, 8/15/00
purchase of; 16 CSR 30-2.031; 4/17/00, 8/15/00
notification
sick leave; 16 CSR 30-2.040; 4/17/00, 8/15/00
retired member of election; 16 CSR 30-2.070; 4/17/00, 8/15/00
termination of active employment; 16 CSR 30-2.050; 4/17/00, 8/15/00
optional life insurance; 16 CSR 30-2.310; 4/17/00, 8/15/00
options in lieu of annuity; 16 CSR 30-2.285; 4/17/00, 8/15/00
refunds of premiums; 16 CSR 30-2.311; 4/17/00, 8/15/00
use of sick leave, annual leave before disability; 16 CSR 30-2.160; 4/17/00, 8/15/00
verification of service; 16 CSR 30-2.150; 4/17/00, 8/15/00
nonteacher school employee
beneficiary; 16 CSR 10-6.090; 1/16/01
membership service credit; 16 CSR 10-6.040; 7/17/00
reinstatement, credit purchases; 16 CSR 10-6.045; 12/1/00
public school retirement system
beneficiary; 16 CSR 10-5.030; 1/16/01
cost-of-living adjustment; 16 CSR 10-5.055; 10/2/00, 1/16/01
reinstatement, credit purchases; 16 CSR 10-4.014; 10/2/00, 1/16/01
service retirement; 16 CSR 10-6.060; 10/2/00, 1/16/01

SECRETARY OF STATE

historical records; 15 CSR 30-45.040; 11/15/00, 1/16/01

SOLID WASTE MANAGEMENT

district grants; 10 CSR 80-9.050; 1/14/00, 7/3/00
financial assistance; 10 CSR 80-9.040; 1/14/99, 7/3/00

SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

applicants; 4 CSR 150-4.056; 10/2/00, 1/16/01
certificate
display of; 4 CSR 150-4.125; 3/1/00, 8/15/00, 11/15/00; 4 CSR 150-4.210; 3/1/00, 9/1/00, 1/16/01
renewal; 4 CSR 150-4.130; 3/1/00, 8/15/00, 11/15/00; 4 CSR 150-4.215; 3/1/00, 9/1/00, 1/16/01
definitions; 4 CSR 150-4.051; 3/1/00, 8/15/00, 11/15/00
uniform functionally based; 4 CSR 150-4.200; 9/1/00, 1/16/01

educational requirements; 4 CSR 150-4.105; 3/1/00, 8/15/00, 11/15/00
 fees; 4 CSR 150-4.060; 3/1/00, 8/15/00, 11/15/00, 2/1/01
 licensure
 provisional; 4 CSR 150-4.055; 3/1/00, 8/15/00, 11/15/00
 registration, process; 4 CSR 150-4.120; 3/1/00, 8/15/00, 11/15/00; 4 CSR 150-4.205; 3/1/00, 9/1/00, 1/16/01
 scope of practice; 4 CSR 150-4.115; 3/1/00, 8/15/00, 11/15/00; 4 CSR 150-4.203; 3/1/00, 9/1/00, 1/16/01
 supervision requirements; 4 CSR 150-4.110; 3/1/00, 8/15/00; 11/15/00; 4 CSR 150-4.201; 3/1/00, 9/1/00, 1/16/01

TAXES

annual adjusted rate of interest; 12 CSR 10-41.010; 12/1/00

TAX, CITY SALES, TRANSPORTATION

layaways; 12 CSR 10-5.010; 11/15/00
 refund procedures; 12 CSR 10-5.080; 6/1/00

TAX COMMISSION, STATE

collateral estoppel; 12 CSR 30-3.025; 9/1/00, 1/16/01
 receipt of evidence; 12 CSR 30-3.075; 12/1/00

TAX, SALES/USE

accommodation to exempt organizations; 12 CSR 10-3.220; 11/1/00, 2/15/01
 accrual vs. cash basis of accounting; 12 CSR 10-103.560; 9/1/00, 12/15/00
 advertising
 businesses; 12 CSR 10-3.590; 7/3/00, 10/16/00
 signs; 12 CSR 10-3.172; 7/3/00, 10/16/00
 agricultural feed, feed additives; 12 CSR 10-3.278; 7/3/00, 10/16/00
 animals purchased for feeding, breeding; 12 CSR 10-3.336; 7/3/00, 10/16/00
 application required; 12 CSR 10-4.275; 6/1/00, 9/15/00
 amended returns; 12 CSR 10-4.330; 6/1/00, 9/15/00
 automotive refinishers, painters; 12 CSR 10-3.058; 11/15/00
 bad debts; 12 CSR 10-3.524; 12/15/00
 credit or refund; 12 CSR 10-115.100; 6/1/00, 9/15/00
 boats and outboard motors
 titling, sales tax treatment; 12 CSR 10-3.834; 7/3/00, 10/16/00
 bonds; 12 CSR 10-104.020; 7/17/00, 11/1/00
 computing; 12 CSR 10-3.474; 11/1/00, 2/15/01
 descriptions; 12 CSR 10-3.478; 11/1/00, 2/15/01
 general examples; 12 CSR 10-3.472; 11/1/00, 2/15/01
 replacement, suspended surety companies; 12 CSR 10-3.479; 11/1/00, 2/15/01
 replacing or return of; 12 CSR 10-3.476; 11/1/00, 2/15/01
 type of; 12 CSR 10-3.471; 11/15/00
 bulldozers, agricultural; 12 CSR 10-3.866; 7/3/00, 10/16/00
 ceramic shops; 12 CSR 10-3.080; 11/15/00
 certificate of deposit; 12 CSR 10-3.878; 11/1/00, 2/15/01
 claim form; 12 CSR 10-4.260, 12 CSR 10-3.518; 6/1/00, 9/15/00
 computer software programs; 12 CSR 10-3.588; 12/15/00
 construction
 aggregate; 12 CSR 10-3.030; 11/1/00, 2/15/01
 contractors; 12 CSR 10-3.028; 11/1/00, 2/15/01
 contractors; 12 CSR 10-112.010; 7/17/00, 11/1/00
 dental laboratories; 12 CSR 10-3.156; 11/15/00
 drugs and medicines; 12 CSR 10-3.098; 6/1/00, 9/15/00
 exemption, ingredient, part; 12 CSR 10-110.200; 10/2/00, 2/15/01
 fabrication, processing property; 12 CSR 10-3.032; 11/1/00, 2/15/01
 farm machinery, equipment; 12 CSR 10-3.274; 7/3/00, 10/16/00
 filing requirements; 12 CSR 10-104.030; 8/1/00, 11/15/00

fur and garment repairers; 12 CSR 10-3.084; 11/15/00
 furniture repairers, upholsterers; 12 CSR 10-3.082; 11/15/00
 garages, shops, service stations; 12 CSR 10-3.074; 11/15/00
 government
 suppliers; 12 CSR 10-3.262; 7/3/00, 10/16/00
 gross receipts; 12 CSR 10-103.555; 10/2/00, 1/16/01
 homes, manufactured; 12 CSR 10-103.370; 7/17/00, 11/15/00
 hotels, motels; 12 CSR 10-110.220; 7/17/00, 11/1/00
 isolated or occasional sales; 12 CSR 10-3.004; 7/3/00, 10/16/00
 businesses; 12 CSR 10-3.005; 7/3/00, 10/16/00
 examples; 12 CSR 10-3.006; 7/3/00, 10/16/00
 laundries, dry cleaners; 12 CSR 10-3.078; 11/15/00
 letters of credit; 12 CSR 10-3.844; 11/1/00, 2/15/01
 letters of exemption; 12 CSR 10-110.950; 9/1/00, 12/15/00
 liquidation, partial; 12 CSR 10-3.007; 7/3/00, 10/16/00
 livestock
 defined; 12 CSR 10-3.286; 7/3/00, 10/16/00
 maintenance, service contracts
 without parts; 12 CSR 10-3.062; 11/15/00
 with parts; 12 CSR 10-3.064; 11/15/00
 materials, packaging, shipping; 12 CSR 10-103.700; 10/2/00, 2/15/01
 nonappropriated activities; 12 CSR 10-3.260; 7/3/00, 10/16/00
 non-reusable, reusable items; 12 CSR 10-3.898; 11/1/00, 2/15/01
 optometrists, ophthalmologists, opticians; 12 CSR 10-3.154; 11/15/00
 orthopedic, prosthetic devices; 12 CSR 10-3.852; 6/1/00, 9/15/00
 pawnbrokers; 12 CSR 10-3.162; 11/15/00
 permanent resident defined; ; 12 CSR 10-3.216; 11/1/00, 2/15/01
 photographers; 12 CSR 10-3.840; 11/15/00
 photofinishers, photoengravers; 12 CSR 10-103.380; 8/1/00, 11/15/00
 physicians, dentists; 12 CSR 10-3.152; 11/15/00
 poultry; 12 CSR 10-3.284; 7/3/00, 10/16/00
 sellers; 12 CSR 10-3.290; 7/3/00, 10/16/00
 rate changes; 12 CSR 10-3.131; 10/2/00, 1/16/01
 refund, credit, application; 12 CSR 10-3.516; 6/1/00, 9/15/00
 no interest; 12 CSR 10-3.528; 6/1/00, 9/15/00
 procedure; 12 CSR 10-5.080; 12 CSR 10-11.150; 6/1/00, 9/15/00
 rather than credit; 12 CSR 10-3.526, 12 CSR 10-4.265; 6/1/00, 9/15/00
 who should request; 12 CSR 10-3.520, 12 CSR 10-4.255; 6/1/00, 9/15/00
 repair industries; 12 CSR 10-3.072; 11/15/00
 resale; 12 CSR 10-103.220; 11/1/00, 2/15/01
 return required; 12 CSR 10-3.040; 1/14/00
 rooms, meals, drinks; 12 CSR 10-3.212; 11/1/00, 2/15/01
 complimentary; 12 CSR 10-3.214; 11/1/00, 2/15/01
 sales of food; 12 CSR 10-110.990; 8/1/00, 12/15/00
 public carriers; 12 CSR 10-3.167; 12/15/00
 seed, pesticides, fertilizers; 12 CSR 10-3.282; 7/3/00, 10/16/00
 seller
 boats; 12 CSR 10-3.166; 7/3/00, 10/16/00
 must charge correct rate; 12 CSR 10-3.210; 10/2/00, 1/16/01
 service-oriented industries; 12 CSR 10-3.070; 11/15/00
 sheet metal, iron, cabinet works; 12 CSR 10-3.102; 11/1/00, 2/15/01
 storage, temporary; 12 CSR 10-113.300; 7/17/00, 11/1/00
 students; 12 CSR 10-3.218; 11/1/00, 2/15/01
 surety companies; 12 CSR 10-3.842; 11/1/00, 2/15/01
 tangible property, services; 12 CSR 10-103.600; 7/17/00, 12/1/00
 tax computation; 12 CSR 10-103.800; 10/2/00, 1/16/01
 transportation fares; 12 CSR 10-108.600; 7/17/00, 11/1/00
 unconstitutional; 12 CSR 10-3.530; 6/1/00, 9/15/00

U.S. government

sales of; 12 CSR 10-3.248; 7/3/00, 10/16/00
suppliers; 12 CSR 10-3.332; 7/3/00, 10/16/00
veterinary transactions; 12 CSR 10-3.850; 7/3/00, 10/16/00
warehousemen; 12 CSR 10-3.054; 11/15/00
watch, jewelry repairers; 12 CSR 10-3.090; 11/15/00
water haulers; 12 CSR 10-3.186; 11/15/00

TAX, STATE USE

audit, no credit; 12 CSR 10-4.145; 7/3/00, 10/16/00
bad debts credit; 12 CSR 10-4.165; 12/15/00
certificate of deposit; 12 CSR 10-4.632; 11/1/00, 2/15/01
change of rate; 12 CSR 10-4.624; 10/2/00, 1/16/01
delivery, freight, transportation charges; 12 CSR 10-4.634;
11/15/00
license necessary; 12 CSR 10-4.070; 11/1/00, 2/15/01
responsibility to pay tax; 12 CSR 10-103.250; 12/15/00
sales to contractors; 12 CSR 10-4.075; 11/1/00, 2/15/01
successor liability; 12 CSR 10-101.600; 12/15/00

TELEPHONE EQUIPMENT PROGRAM

adaptive telephone equipment; 8 CSR 5-1.010; 8/15/00

**TRANSPORTATION, DISADVANTAGED BUSINESS
ENTERPRISE PROGRAM**

appeal; 7 CSR 10-8.101; 6/15/00, 10/16/00
certifying, recertifying DBE firms; 7 CSR 10-8.051; 6/15/00,
10/16/00
procedures for; 7 CSR 10-8.030; 6/15/00, 10/16/00
renewal; 7 CSR 10-8.040; 6/15/00, 10/16/00
challenge procedures; 7 CSR 10-8.050; 6/15/00, 10/16/00
commercially useful function
failure to perform; 7 CSR 10-8.080; 6/15/00, 10/16/00
performance by DBE firm; 7 CSR 10-8.151; 6/15/00,
10/16/00
complaints, ineligibility; 7 CSR 10-8.081; 6/15/00, 10/16/00
confidentiality, financial; 7 CSR 10-8.161; 6/15/00, 10/16/00
decertification procedures; 7 CSR 10-8.070; 6/15/00, 10/16/00
definitions; 7 CSR 10-8.011, 7 CSR 10-8.020, 7 CSR 10-8.210;
6/15/00, 10/16/00
department determination; 7 CSR 10-8.090; 6/15/00, 10/16/00
directory, publication; 7 CSR 10-8.230; 6/15/00, 10/16/00
effective date; 7 CSR 10-8.041; 6/15/00, 10/16/00
eligibility to remove a firm; 7 CSR 10-8.091; 6/15/00, 10/16/00
goals, contract; 7 CSR 10-8.121; 6/15/00, 10/16/00
participation credit; 7 CSR 10-8.131; 6/15/00, 10/16/00
good faith efforts; 7 CSR 10-8.141; 6/15/00, 10/16/00
governed, bound by program; 7 CSR 10-8.031; 6/15/00,
10/16/00
information, general; 7 CSR 10-8.010, 7 CSR 10-8.021; 6/15/00,
10/16/00
mentor-protege agreement; 7 CSR 10-8.060; 6/15/00, 10/16/00
payment, record keeping, audit; 7 CSR 10-8.111; 6/15/00,
10/16/00
reporting, disclosure requirements; 7 CSR 10-8.071; 6/15/00,
10/16/00
set-aside program; 7 CSR 10-8.200; 6/15/00, 10/16/00
bidding limitations; 7 CSR 10-8.250; 6/15/00, 10/16/00
disqualification; 7 CSR 10-8.270; 6/15/00, 10/16/00
goals, subcontracting; 7 CSR 10-8.260; 6/15/00, 10/16/00
participation; 7 CSR 10-8.220; 6/15/00, 10/16/00
retaining qualification; 7 CSR 10-8.240; 6/15/00, 10/16/00
unified certification program; 7 CSR 10-8.061; 6/15/00, 10/16/00

UNEMPLOYMENT INSURANCE

joint accounts; 8 CSR 10-4.080; 2/1/01
lessor employing units; 8 CSR 10-4.160; 6/15/00, 10/2/00

VETERINARY MEDICAL BOARD, MISSOURI

examinations; 4 CSR 270-2.031; 9/1/00, 12/15/00
reciprocity; 4 CSR 270-2.060; 9/1/00, 12/15/00
reexamination; 4 CSR 270-2.041; 9/1/00, 12/15/00

VOTERS

postcard registration; 15 CSR 30-4.010; 10/16/00

WEIGHTS AND MEASURES

national type evaluation regulation; 2 CSR 90-21.060; 12/1/00

WORKERS' COMPENSATION

engineering, management program
application; 8 CSR 50-7.050, 8 CSR 50-7.070; 7/3/00,
12/1/00
certification; 8 CSR 50-7.060; 7/3/00, 12/1/00

WORKFORCE DEVELOPMENT

application; 4 CSR 195-5.020; 4/17/00, 9/1/00
employee/trainee eligibility; 4 CSR 195-5.030; 4/17/00, 9/1/00
purpose, business eligibility; 4 CSR 195-5.010; 4/17/00, 9/1/00

Keep Your Copies of the *Missouri Register* Organized in Easy-To-Use Binders



MATT BLUNT
SECRETARY OF STATE
MISSOURI
REGISTER

\$7.50 each

Requires two binders per volume.

ORDER FORM

☐ Enclosed is my check for \$ _____ for _____ *Missouri Register* Binders.
(\$7.50 for each binder) (No. of binders)

Make checks payable to Director of Revenue.

Mail to: MATT BLUNT
SECRETARY OF STATE
ADMINISTRATIVE RULES DIVISION
PO Box 1767
JEFFERSON CITY, MO 65102

Name or Firm (Please Type or Print)

Attn:

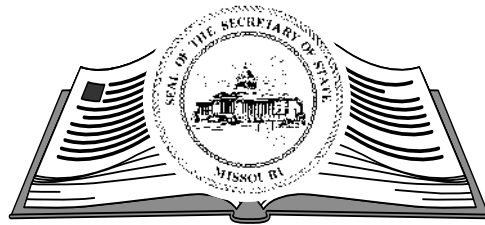
Send by UPS or Street Address

City

State

Zip Code

The *official*
source of
information on
Missouri state
regulations



PUBLISHED SEMI-MONTHLY — \$56⁰⁰ PER YEAR

ORDER FORM

- ☐ Enclosed is my check for \$56 as payment in advance for one year of the *Missouri Register*
Please start my subscription with the _____ issue.
- ☐ Enclosed is my check for \$330 for the *Code of State Regulations*
- ☐ This is a subscription renewal

Please make checks payable to: **Director of Revenue**

Mail to: MATT BLUNT
SECRETARY OF STATE
ADMINISTRATIVE RULES DIVISION
PO Box 1767
JEFFERSON CITY, MO 65102

name or firm (please type or print)

attn:

PO box number

street address

city

state

zip

BEFORE YOU MOVE

. . . please let us know!

To be sure that you do not miss any issues of your **Missouri Register** subscription, please notify us at least four weeks before you move to your new address.

1. Present address

Attach address label from a recent issue, or print name and address exactly as shown on the label.

Name

Address

City State Zip

2. Fill in new address

Name

Address

City State Zip

02/15/01

MATT BLUNT

SECRETARY OF STATE

PO Box 1767

JEFFERSON CITY, MO 65102

Periodical
Postage Paid at
Jefferson City,
MO